

Notice is hereby given that an ordinary meeting of the Horowhenua District Council will be held on:

Date: Wednesday 8 June 2022
Time: 4.00 pm
Meeting Room: Council Chambers
Venue: 126-148 Oxford St
Levin

Council OPEN AGENDA

MEMBERSHIP

| | |
|---------------------|--------------------------|
| Mayor | B P Wanden |
| Deputy Mayor | Deputy Mayor J F G Mason |
| Councillors | Cr D A Allan |
| | Cr W E R Bishop |
| | Cr R J Brannigan |
| | Cr T N Isaacs |
| | Cr S J R Jennings |
| | Cr V M Kaye-Simmons |
| | Cr R R Ketu |
| | Cr C B Mitchell |
| | Cr P Tukapua |

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Email: enquiries@horowhenua.govt.nz
Website: www.horowhenua.govt.nz

Full Agendas are available on Council's website
www.horowhenua.govt.nz

Full Agendas are also available to be collected from:
Horowhenua District Council Service Centre, 126 Oxford Street, Levin
Te Awahou Nieuwe Stroom, Foxton,
Shannon Service Centre/Library, Plimmer Terrace, Shannon
and Te Takeretanga o Kura-hau-pō, Bath Street, Levin

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Karakia

1 Apologies

2 Public Participation

Notification of a request to speak is required by 12 noon on the day of the meeting by phoning 06 366 0999 or emailing public.participation@horowhenua.govt.nz.

3 Late Items

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

4 Declarations of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

5 Confirmation of Minutes

5.1 Meeting minutes Council, 11 May 2022

Recommendation

That the minutes of the meeting of the Council held on Wednesday, 13 April 2022, be confirmed as a true and correct record.

6 Announcements

Proceedings of the Finance, Audit and Risk Committee 25 May 2022

File No.: 22/255

1. Purpose

To present to the Council the minutes of the Finance, Audit & Risk Committee meeting held on 25 May 2022.

2. Recommendation

- 2.1 That Report 22/255 Proceedings of the Finance, Audit and Risk Committee 25 May 2022 be received.
- 2.2 That the Council receives the minutes of the Finance, Audit & Risk Committee meeting held on 25 May 2022.

3. Issues for Consideration

The following items considered by the Finance, Audit & Risk Committee meeting held on the 25 May 2022 will require further consideration by the Horowhenua District Council and will be included on a future Council agenda:

There are no items that require further consideration.

Attachments

There are no attachments for this report.

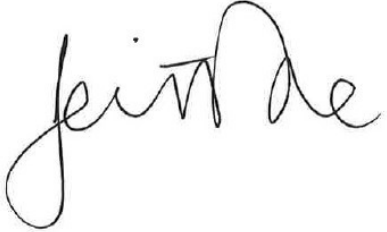
Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-----------|--|---|
| Author(s) | Grayson Rowse Principal Advisor - Democracy |  |
|-----------|--|---|

| | | |
|-------------|---|---|
| Approved by | Jacinta Straker Chief Financial Officer |  |
|-------------|---|---|

Finance, Audit & Risk Committee

OPEN MINUTES

Minutes of a meeting of the Finance, Audit & Risk Committee held in the Council Chambers, Horowhenua District Council, Levin on Wednesday 25 May 2022 at 4.00 pm.

PRESENT

| | | |
|--------------------|--------------------------|------------|
| Chairperson | Mr P Jones | |
| Deputy | Cr C B Mitchell | |
| Chairperson | | |
| Members | Cr D A Allan | |
| | Cr W E R Bishop | |
| | Cr T N Isaacs | |
| | Mr B J Jackson | |
| | Cr S J R Jennings | (Via zoom) |
| | Cr V M Kaye-Simmons | |
| | Deputy Mayor J F G Mason | |
| | Cr P Tukapua | |
| | Mayor B P Wanden | |

IN ATTENDANCE

| | | |
|------------------------------|-------------------|---|
| | Mrs M Davidson | Chief Executive Officer |
| | Mrs J Straker | Group Manager Business |
| | Mr B Maguire | Group Manager Infrastructure Development |
| | Mr D McCorkindale | Group Manager Customer & Strategy |
| | Mrs L Slade | Group Manager People & Culture |
| | Mr B Harvey | Group Manager Communities and Partnerships |
| | Mrs A Huria | Business Performance Manager |
| | Mr G Rowse | Principal Advisor – Democracy |
| Meeting Secretary | Miss J Lygo | Democracy Support Officer |

Councillor Tukapua open the meeting with a Karakia.

1 Apologies

Apology

MOVED by Mayor Wanden, seconded Cr Isaacs:

That the apology from Councillor Ketu and Councillor Brannigan be accepted.

CARRIED

Mayor Wanden made a statement noting the recent weather events – a tornado and significant hail storm – and expressed concern for those directly and indirectly affected. The Mayor acknowledged the work of the Council and first responders in the immediate response to the events, and also the rallying of the community and by elected members to support those effected and the wider community.

2 Public Participation

There was none.

3 Late Items

There were none.

4 Declarations of Interest

There were none.

5 Confirmation of Minutes

MOVED by Mr Jackson, seconded Cr Kaye-Simmons:

That the minutes of the meeting of the Finance, Audit & Risk Committee held on Wednesday, 27 April 2022, be confirmed as a true and correct record.

CARRIED

7 Reports

7.1 Finance, Audit and Risk Committee Resolutions and Actions monitoring report 2022

The previous resolutions were reported to the Finance, Audit & Risk Committee

MOVED by Cr Allan, seconded Cr Mitchell:

That Report 22/239 Finance, Audit and Risk Committee Resolutions and Actions monitoring report 2022 be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

That the Finance, Audit and Risk Committee notes the Finance, Audit and Risk Committee resolution and actions monitoring report.

CARRIED

The Business Performance Manager joined the table speak to this report, mentioning a slight change to the monitoring report and clarifying that the due dates of items will be included in the next agenda.

7.2 Finance, Audit & Risk Committee Work Programme

The Finance, Audit & Risk Committee was provided with an outline of a Draft Work Programme.

MOVED by Mayor Wanden, seconded Cr Kaye-Simmons:

That Report 22/230 Finance, Audit & Risk Committee Work Programme be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

That the Finance, Audit & Risk Committee notes the Finance, Audit & Risk Committee Work Programme.

CARRIED

The Business Group Manager spoke to this report highlighting the following points:

- That the activity reports will now be presented to Council.
- There will be a delegations briefing next month and policy following on in the August meeting.
- The internal audit relating to procurement work being is currently being finalised.

7.3 Monthly Financial Report April 2022

The ten months report to 30 April 2022 was presented to the Finance, Audit & Risk Committee.

MOVED by Mr Jackson, seconded Cr Allan:

That the Monthly Financial Report April 2022 be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

The Business Group Manager spoke to this report highlighting key points and answering questions from Councillors.

7.4 Risk Management Status Report

This paper reported to the Finance, Audit and Risk Committee on Council's risk landscape, risk management work in progress and to continue a discussion with the Committee about risk.

This report was provided for information purposes only.

MOVED by Mr Jones, seconded Cr Isaacs:

That Report Risk Management Status Report be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

That the Finance, Audit and Risk Committee endorse the direction of the work underway to better understand risk, and Council's role in managing that.

CARRIED

The Business Performance Manager joined the table noting that this report will be a standing item going forward for Finance, Audit & Risk Committee meetings.

Discussion was held around the monitoring systems for risks and how to best implement them.

Councillor Tukapua closed this meeting with a Karakia.

4:36 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF FINANCE, AUDIT & RISK
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

Proceedings of the Community Wellbeing Committee 10 May 2022

File No.: 22/260

1. Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 10 May 2022.

2. Recommendation

- 2.1 That Report 22/260 Proceedings of the Community Wellbeing Committee 10 May 2022 be received.
- 2.2 That the Council receives the minutes of the Community Wellbeing Committee meeting held on 10 May 2022.

3. Issues for Consideration

The following items considered by the Community Wellbeing Committee meeting held on the 10 May 2022 will require further consideration by the Horowhenua District Council and will be included on a future Council agenda:

Attachments



There are no attachments for this report.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|---|---|
| Author(s) | Jody Lygo Democracy Support Officer |  |
| Approved by | Ashley Huria Business Performance Manager |  |

Community Wellbeing Committee

OPEN MINUTES

Minutes of a meeting of the Community Wellbeing Committee held in the Council Chambers, Horowhenua District Council, 126-148 Oxford Street, Levin on Tuesday 10 May 2022 at 1.00 pm.

PRESENT

| | | |
|---------------------------|--------------------------|---------------------------------------|
| Chairperson | V M Kaye-Simmons | |
| Deputy Chairperson | Deputy Mayor J F G Mason | |
| Members | Sgt Paul Adrian | |
| | Ms Brooke Carter | Dep of Internal Affairs |
| | Mr Richard Fry | Ministry of Social Development |
| | Dr Betty-Lou Iwikau | Raukawa Whanau-Ora Ltd (via zoom) |
| | Ms Angela Rainham | MidCentral DHB |
| | Ms Renee Regal | Kāinga Ora |
| | Mr Mark Robinson | Education Horowhenua |
| | Ms Tracey White | Muaūpoko Tribal Authority (MTA) |
| | Fredrick Acheampong | Office of Ethnic Communities, Te Tari |
| | | Taiwhenua Dept Internal Affairs |
| | Mayor B P Wanden | |

IN ATTENDANCE

| | | |
|--------------------------|-------------------|--|
| Reporting Officer | Michelle Rogerson | Community and Social Development Manager |
| Meeting Secretary | Jody Lygo | Democracy Support Officer |
| | Monique Davidson | Chief Executive Officer |
| | Brent Harvey | GM Communities and Partnerships |
| | Grayson Rowse | Principal Advisor - Democracy |

ALSO IN ATTENDANCE

| | |
|---------------|-------------------------------|
| Teresa Burke | Community Development Advisor |
| Amber Moffitt | Community Development Advisor |

Tracey White opened the meeting with a Karakia.

1 Apologies

MOVED by Cr Kaye-Simmons, seconded Cr Mason:

That the apology from Chiquita McKay, Di rump, Joanne Parker, Jacqui Moynihan and Daniel Gamboa be accepted.

CARRIED

2 Public Participation

There was none

3 Late Items

There were none.

4 Declarations of Interest

There were none.

5 Confirmation of Minutes

MOVED by Cr Kaye-Simmons, seconded Robinson:

That the minutes of the meeting of the Community Wellbeing Committee held on Tuesday, 8 February 2022, be confirmed as a true and correct record.

CARRIED

6 Reports

6.1 Community Wellbeing Report

The Community Wellbeing Committee gave an update and overview on activities, and provide an update on the district wide Community Development work programme that directly contributes to the outcomes of the Community Wellbeing Framework.

MOVED by Cr Kaye-Simmons, seconded Robinson:

That Report 22/164 Community Wellbeing Report be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

The report was taken as read.

Cr Mason provided an update on the inclusion groups recent activity. Additionally the current work being done by the staff at Te Takeretanga o Kura-hau-pō was highlighted with regards to them recognising gaps in service and working on ways to fill them.

The Report Officer provided an update on the refugees from Columbia, noting that they are in the final stages of the procurement process on a settlement contract.

The Chief Executive spoke to her presentation (*see attached in meeting notes*), clarifying points, answered questions from members and highlighted the following five key shifts:

- Strengthened local democracy
- Stronger Focus on wellbeing
- Authentic relationship with Hapu/Iwi/Maori
- Genuine partnership between central and local government

- More equitable funding.

Mrs Tracey White closed the meeting with a Karakia.

1:47 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF COMMUNITY WELLBEING
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

Projects Steering Group - Discussion Overview

File No.: 22/262

1. Purpose

To report to Council on the projects being reported on and discussed by the Projects Steering Group (PSG) on 4 May 2022.

2. Recommendation

- 2.1 That Report 22/262 Projects Steering Group - Discussion Overview be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Project Oversight / Key Highlights

O2NL Update

The Project Steering Group (PSG) received an update from the Project Director Otaki to North of Levin (O2NL) on progress toward the detailed business case for the proposed new State Highway.

In particular, PSG members were given a detailed explanation of the key features along the O2NL alignment as shown in the latest fly-through animation. This information is now available through the projects website and at the public drop in sessions.

Gladstone Road Project Update

Council's Roading Manager provided an update on the new Gladstone Road alignment. Weather events have been impacting progress with the temporary road and river crossing requiring reactive works.

The permanent road works continue to track well. Earthworks is complete with final trimming underway in preparation for pavement. The bridge construction has been affected by materials supply issues. The contractor has since received the materials and is able to complete the bridge piers and abutments and begin casting the new deck components.

Levin Waste Water Treatment Plant (LWWTP)/ POT

Council's 3-Waters Manager updated the PSG on upgrade works at the Levin Waste Water Treatment Plant and at the irrigation fields at the POT. The upgraded digester at the LWWTP is nearing completion and should be ready for commission and testing next month. Similarly the new automated sprinkler system at the POT is well underway. Testing and commissioning is on track for next month as well.

Parks and Property Activity Update

Council's Parks and Property Manager briefed the PSG on the range of projects and maintenance activities underway. The new toilet blocks at Hank Edwards and Jubilee Parks are on track. The Foxton Beach Surf Club refurbishment is complete. Council's parks and reserves continue to be well maintained and operational despite the regular weather events.

Attachments

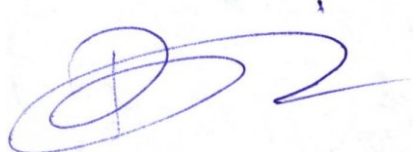
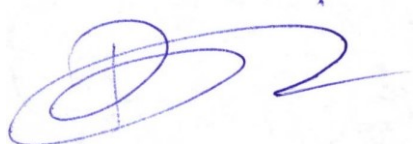
There are no attachments for this report.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|---|---|
| Author(s) | Brent Maguire Group Manager - Infrastructure Development and Operations |  |
| Approved by | Brent Maguire Group Manager - Infrastructure Development and Operations |  |

File No.: 22/248

8.2 Mayoral Report - June 2022

1. Purpose

The purpose of this report is For His Worship the Mayor to report to Council on community events and Council-related meetings he has attended during May 2022, and provide an update on items of interest.

2. Recommendation

- 2.1 That Report 22/248 Mayoral Report - June 2022 be received.
- 2.2 That this matter or decision is recognised not significant in terms of S76 of the Local Government Act.

3. May 2022 Meetings and Events Attendance

Meetings, events and functions that I attended during the month of May 2022:

- HDC staff mihi whakatau and induction for incoming Chief Executive, Monique Davidson
- Projects Steering Group meeting
- Council briefing - Foxton Pool refurbishment and election protocols
- Council and Chief Executive workshop
- Mayor's Taskforce for Jobs coordinator meeting
- Visited Youth Week activities at Te Takeretanga o Kura-hau-pō
- Monthly catch up with MP Terisa Ngobi
- Levin Landfill Project Management Group meeting
- Community Wellbeing Committee meeting
- Horizons Regional Council meeting via zoom
- Council meeting
- Council Briefing – CAPEX, district plan changes
- Wellington Regional Growth Framework meeting
- LGNZ – health reforms update
- Accelerate 25 Lead Team meeting
- The Horowhenua Company meet and greet for the CE
- Opening of St Vincent de Paul Community Centre
- HLC – hosted a class visit to Council
- Te Tumatakahuki relationship hui
- Garth Road residents visit
- C4LD meeting
- 100th birthday function

- The Horowhenua Company Trustees meeting
- Three Waters – Entity C workshop
- Council briefing – Waka Kotahi update, Annual Plan 2022/23, monthly work programme
- Waka Kotahi – Ō2NL meeting
- Tokomaru community meeting
- BA5 event
- Tornado Weather event - communications with the community
- Tornado – community clean-up
- Council briefing – Annual Plan 2022/23
- Finance, Audit & Risk Committee meeting
- Simon Watts, MP visit
- Standard & Poor's annual HDC meeting
- LGNZ – reforms update
- Accessing Central NZ Governance meeting
- Betty Montford Kindy – enviroschools bronze reflection
- Wellington Regional Growth Framework - Regional Economic Development Plan Meeting
- Marae Three Waters Upgrades Celebration
- Wellington Regional Growth Framework – leadership committee meeting
- Mayoral Relief Fund Panel meeting.

4. General Update

It is hard to believe where the month of May has gone. We started the month celebrating the arrival of our new Chief Executive, Monique Davidson. All Elected Members have been giving time and effort into establishing this crucial relationship, and I have been focused on supporting Monique in her induction.

We are at a critical time in our calendar year, as we look to adopt our Annual Plan 2022/2023. In December, Council voted no to consulting on a Draft Annual Plan. Instead we have used that time to better understand the key drivers of our budgets, the risks in front of us and what options we have to manage the impact of rates rises on our ratepayer.

While Growth presents positivity, the financial impact of our current landfill situation and increasing demands on the business means we are trying our best to find the balance going into the adoption of this key document. The delivery of our capital programme, and ensuring we have an achievable programme are some of the key items Council has been spending significant time on.

The May report must recognise the tragedy of the tornado and the hail storm that swept through Levin on Friday 20 May. First and foremost my thoughts are with those in our community most impacted, please know there is support available to you. My thanks goes to Council staff, Elected Members, contractors and the many organisations, groups, businesses, and individuals who pitched in to support our community in a time of need.

On the afternoon of the 20th May, I was proud that Horowhenua District Council was able to announce the establishment of a Mayoral Relief Fund. My thanks goes to fellow Councillors

– with their support we were able to seed fund \$100,000 into the fund, which was matched by the Government and since then a further \$65,000 has been contributed. Of the \$65,000, \$50,000 was contributed by the Horowhenua New Zealand Trust and \$15,000 has come from the community. This is an extremely generous response.

Some of the key highlights from May are:

- Advocacy and attendance at Horizons Regional Council re: Foxton East Drainage Scheme Funding and Commitment to programme
- Adoption of Horowhenua Blueprint 2040
- Adoption of Horowhenua Growth Strategy
- An array of events during Youth Week
- The hosting of the Minister of Local Government, Nanaia Mahuta and Taumata Arowai CE, Bill Bayfield in celebrating the successful delivery of the Marae upgrade program using some of our Three Waters stimulus funding.

Looking ahead, this Council has a number of key priorities and milestones it must stay focused on. One of the most important being, the consideration of the Detailed Business Case by Government for the Ō2NL expressway. This is certainly a legacy decision, and in advance I thank all staff and Councillors for the work we will collectively do over the coming weeks to ensure the decision by government future proofs our District.

5. Horowhenua Mayoral Relief Fund

Horowhenua District Council along with our Government has activated a Mayoral Relief Fund to provide financial assistance for those who were impacted by the tornado on Friday, 20 May 2022.

This welfare fund is for people in the Horowhenua area who have suffered as a result of the 20 May 2022 tornado event.

This fund can help with remedying property damage from the tornado or other costs incurred as a result of the severe weather event, including essentials for daily life and costs not covered by insurance.

Assistance may be given to fund:

- Damaged property
- Essentials for daily life
- Costs not covered by insurance
- Where there is financial burden due to the tornado event
- Counselling.

Criteria and relevant information

- Applications must be connected with the 20 May 2022 tornado and within the Horowhenua District
- Each application will be dealt with on its own merits
- Only one application per household or organisation
- Grants will be one-off only
- When funds are granted, they must be used for the purpose outlined in the application submitted
- Applicants will need to declare if they have received financial or other assistance, ie from Work and Income – financial assistance, food parcels, or funding from any other organisation in relation to this tornado event (funding source to be specified.)

- Council will meet its legislative obligations under the Privacy Act 2020 with regard to protecting your information provided in the application.

How to make an application

Apply online

<https://www.horowhenua.govt.nz/CommunityPlaces/Grants-Community-Funding/Horowhenua-Mayoral-Relief-Fund>

Apply by email

Download the application form,

<https://www.horowhenua.govt.nz/files/assets/public/community/grants-information/horowhenua-mayoral-relief-fund-2022-application-form-may-22.pdf>

Complete the form and email it to:

jacintas@horowhenua.govt.nz

Apply in person

- Download the application form, fill it in and either drop it off to Council's Main Office at 126 Oxford Street, Levin or post it to us at Private Bag 4002, Levin 5540.
- Phone 06 366 0999 if you require assistance
- Or visit Council's Main Office at 126 Oxford Street, Levin.

Processing an Application

On making an application, applicants will receive an acknowledgement email or phone call with a timeframe for the decision.

The Mayor, along with a special panel, will consider all applications and make the final decisions.

Applicants will be advised of the outcome through email or phone, and if successful payment will be made into the nominated bank account the following week.

Contributions

If businesses or individuals would like to contribute to the Mayoral Relief Fund, they can donate using the following bank account:

02-0668-0070607-002 (Account name: Horowhenua District Council, ref "Relief fund").


Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

6. Appendices

There are no attachments for this report.

| | | |
|-----------|-------------------------------|---|
| Author(s) | Bernie Wanden Mayor |  |
|-----------|-------------------------------|---|

| | | |
|-------------|-------------------------------|---|
| Approved by | Bernie Wanden Mayor |  |
|-------------|-------------------------------|---|

Council Resolution and Actions Monitoring Report June 2022

File No.: 22/253

The purpose of this report is to present to Council the updated monitoring report covering resolutions and requested actions from previous meetings of Council.

1. Recommendation

- 1.1 That Report 22/253 on Council Resolution and Actions Monitoring Report June 2022 be received.
- 1.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

Attachments



| No. | Title | Page |
|-------------------|--|------|
| A | Council Actions Monitoring Report 2022 - June 2022 | 26 |

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|---|---|
| Author(s) | Grayson Rowse Principal Advisor - Democracy |  |
| Approved by | Monique Davidson Chief Executive Officer |  |

Council Actions Monitoring Report 2022

| | |
|--|-------------|
| | Completed |
| | In progress |
| | Transfer |
| | Off track |

| Reference | Resolution/Action | Officer | Due date | Status | Officer Comment |
|-----------|---|------------|------------|--------|---|
| 21/502 | That the Chief Executive provide a full report on all options in respect of vehicular beach access at Waikawa Beach. | M Davidson | 30/11/2022 | | The Chief Executive is working with Horizons Regional Council to explore options. |
| 22/36 | That the Horowhenua District Council approves the release of a maximum total of \$322,000 from the Hockey Turf Replacement Fund to the Horowhenua Sports Turf Trust for the replacement of the turf and emergency repair of the floodlights. | A Nelson | 01/3/2022 | | Payment has been completed. |
| 22/25 | That Council requests the Chief Executive to allocate \$15,000 from within existing budgets for the joining fee for Democracy for Local Government. | J Straker | 30/05/2022 | | Allocation and payment has been completed. |
| 22/139 | That the Council defer a decision to close the Levin Landfill until 31 December 2025 or at any time earlier than that date, following a full evaluation by the incoming Chief Executive Officer by 30 September 2022. | M Davidson | 30/09/2022 | | The Chief Executive is currently working through this and an update will be provided in due course. |
| 22/166 | That Council requests the Chief Executive to prepare a report into implications of, and options for, granting land access for the Foxton Beach Community Centre to build a three-bay garage, and report on implications and options for boundary line adjustments for the land upon which the Foxton Beach Community centre sits. | S Hester | 30/08/2022 | | Options proposed will be tabled at Council Meeting 10 August. |
| 22/166 | That Council requests the Chief Executive to work with the Windmill Trust and the Foxton Tourism | S Hester | 30/06/2023 | | Officers are working with the FTDA around relocating the tram for |

D22/66651

Last update: 1-Jun-22

| | | | | | |
|--------|---|----------|------------|--|--|
| | Development Association (FTDA) to look at options for an alternative storage site for the Foxton Tram. | | | | temporary storage and options are being considered for a permanent solution. |
| 22/166 | That Council enters into a variation of the existing lease for Café Molen in support of option 1, as presented to the Foxton Community Board's meeting of 11 April 2022 – to extend the lease for the Dutch Oven into the current tram storage space. | S Hester | 30/10/2022 | | Officers are working with the De Molen Trust to resolve and finalise lease adjustment. |

File No.: 22/249

8.4 Monthly Chief Executive Report

1. Purpose

The purpose of this report, is for the Chief Executive to update Council on a number of current matters and items of interest. This report in time will be combined with the proposed Organisation Performance quarterly report, but until that work is complete the current arrangements will continue.

2. Recommendation

- 2.1.1 That Report 22/249 Monthly Chief Executive Report be received.
- 2.1.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 2.1.3 That Council resolve to establish a District Plan Working Party to work with Officers on District Plan Changes and appoint the following elected members.[...].
- 2.1.4 That Council adopt the Tornado Community Recovery Plan.
- 2.1.5 That Council receive the annual report for Civic Financial Services and agree to appoint Nicola Mills, a director of Civic Financial Services Ltd, as the proxy for the Civic Financial Services annual general meeting.
- 2.1.6 That Council record the appointment and remuneration of the OAG as Auditor of Civic Financial Services.

3. Chief Executive Updates

District Plan Working Party

Due to the significance of upcoming District Plan work on the District's growth response, an opportunity has been identified for Elected Members to be more closely involved with Officers in preparing the District Plan Changes. At a Council briefing in May, the idea of establishing a District Plan Working Party comprising of Elected Members was suggested. Elected Members showed interest in being involved if such an opportunity was to be provided. This model has proved to be very effective in the past when a District Plan Review Advisory Group of Elected Members was used as part of the District Plan Review. The proposed Working Party would meet with Officers on a regular basis to work through the detail of proposed District Plan changes. Initially, the Working Party would have a particular focus on determining the most efficient and effective ways of enabling housing development, with this being the focus of the current plan change work. A benefit of the Working Party model would be that it enables Elected Members to spend time at a more granular level, understanding the detail of the District Plan Changes than would usually be presented to Council in a briefing or workshop. Full Council would continue to be briefed at a higher level through briefings or public workshops on the District Plan Changes.

A resolution of Council is sought to confirm the Elected Members that would form the Working Party. If supported it is anticipated that the Working Party would first meet in June.

Tornado Community Recovery Plan

Following the devastation of the tornado on the 20th May 2022, this Council very quickly kicked into proactive response. Council established its Incident Management Team, and worked with

various agencies to respond to the needs of the day. The multiple media releases, provide a good summary of the situation and how Council responded, and can be found [here](#).

Council very quickly established a Mayoral Relief Fund, contributing \$100,000, which was later matched by the Minister of Civil Defence and Emergency. Many generous contributions have been made by businesses, organisations and individuals and the Mayoral Relief Fund is now open for applications, and already allocating funds. Information on the fund and application process can be found [here](#). The Mayoral Relief Fund Panel is made up of Mayor Bernie and the five Levin Ward Councillors.

At the time of writing this report;

- \$265,161 contributed to the Mayoral Relief Fund
- 24 applications received to the Mayoral Relief Fund
- 11 families or individuals requiring welfare support are being cared for by the welfare team, three of those families remain in emergency accommodation
- We received in excess of 130 requests for help from people and organisations impacted by Friday's event. While we still have a small number of tasks to complete, the majority of property clean-up has been done
- 300m³ of greenwaste has been collected
- 70m³ of greenwaste has been repurposed and used on the parks and reserves around Horowhenua or given back to people to use
- 150m³ of rubbish and greenwaste has been collected by Higgins
- Three skip bins of glass and general waste was filled at Donnelly Park
- 51 buildings have been assessed for structural damage by our Building Advisors. A number of these buildings have required placards to be placed on them:
 - 20 red placards – no building access (17 residential and three commercial)
 - Four yellow placards – restricted building access
 - Five recycling wheelie bins and eight recycling crates require replacing so far.

Horowhenua District Council's response has now very much transitioned to recovery mode. The Big Community Clean Up, the day following the tornado, supported our recovery efforts in making significant headway.

Council have taken the time to consider its continued role in supporting the recovery efforts, and after discussion with Council, the *Draft Tornado Community Recovery Action Plan* is attached for formally endorsing.

Civic Financial Services

Horowhenua District Council holds unlisted equity shares in Civic Financial Services Limited, which are not publicly traded and total \$220,000 in value.

Civic Financial Services have recently adopted their 2021 Annual Report. The report is **attached** in the appendix. Entities that area associated with the trust include:

Local Government Superannuation Trustee Limited Local Government Superannuation Trustee Limited (LGST) is a 100% subsidiary of Civic and is the trustee to the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes. Both Schemes are administered by Civic and are registered with the FMA (Financial Markets Authority).

LAPP Disaster Fund LAPP is a charitable trust that was set up by LGNZ and Civic in 1993 to assist with the reinstatement of lost or damaged local government underground infrastructure. LAPP's membership is 23.

The Council has been invited to participate in the Annual General Meeting and the Council is proposing to appoint Nicola Mills, one of the directors of Civic Financial Services Ltd, as the proxy. Nicola has 20 years' experience, in local government and professional services (PwC) and is currently the General Manager Financial and Business performance at Auckland Council. It is proposed that she vote to:

- receive the Annual Report
- record the appointment and remuneration of Auditor
- record the appointment of the Auditor-General as auditor (pursuant to Section 207 of the Companies Act 1993 and Section 15 of the Public Audit Act 2001) to hold office until the conclusion of the next Annual General Meeting and to authorise the Directors to determine the remuneration for the auditor for the year.

Covid-19

Council continues to review their response to business continuity as we deliver business under the orange traffic light system. At the time of writing this report, the workforce constraints because of Covid-19 are evident, however the organisation is managing the additional pressure and limited resources.

Resource Management Reform

Government's reform of the resource management system continues to progress. The Natural & Built Environments Bill and Strategic Planning Bill are expected to be introduced into Parliament later this year and passed into law by the close of 2023. The Ministry for the Environment has been engaging with tangata whenua, local government, and other stakeholders while the remaining policy details of the Bills are being finalised. Engagement with Council has been delivered through several forums over recent months including webinars, mayoral forums, and regional hui. The Climate Adaptation Bill is expected to be introduced to Parliament in 2023. Staff remain engaged with MfE, Taituarā and Local Government New Zealand to stay updated on the Government's resource management reform programme, and plans are underway to ensure regular engagement occurs with all Elected Members.

Waste Legislation and Strategy under Development

Consultation on a new Aotearoa New Zealand Waste Strategy and issues and options for developing new, more comprehensive waste legislation closed in December. The final version of the waste strategy is expected to be released mid-2022. If the Government decides to go ahead with new waste legislation, a Bill will be introduced to Parliament later in 2022, the new legislation would replace the Waste Minimisation Act 2008 and the Litter Act 1979. If the Bill is passed by Parliament, it will likely come into force in mid-2023. Development of regulations under the new Act will commence in 2023. Consultation on proposed product stewardship regulations for tyres and large batteries closed in December. The regulations would give manufacturers, sellers, and users more responsibility for ensuring used tyres and large batteries do not end up in landfills or the environment. Decisions will be announced this year.

The Government is also consulting on their proposals to Transform Recycling in Aotearoa New Zealand. For this ambitious work programme to be successful and deliver the transformational outcomes that the Government is seeking, it is critical that MfE works in partnership with local government on the design and delivery of the proposed new approaches.

Local Government New Zealand made a submission on behalf of the sector, and can be found on www.lgnz.co.nz.

Health (Fluoridation of Drinking Water) Amendment Bill

In 2016, Cabinet agreed to proposed legislative changes to allow district health boards (DHBs) to direct local authorities to fluoridate community water supplies in their areas. After the announcement of the review of the health system, the bill was amended so the power lies with the director-general of health, instead of DHBs.

The proposed Health (Fluoridation of Drinking Water) Amendment Bill was introduced into the House to implement these changes. The Bill passed its third reading and received royal assent on 15 November. Changes to the Health Act come into force on 13 December 2021.

Consultation with the local authority is required before the Director General directs a local authority to add fluoride to drinking water. Horowhenua District Council was required to provide information to the Director General of Health at the beginning of 2022, further information has now been sought and Council Officers are working on providing this information by the end of June. A public workshop is planned before the end of June so both Council and community have an understanding on how the legislation might be practically implemented in our community.

Confirmation of statutory compliance


In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

4. Appendices

| No. | Title | Page |
|-----|---|------|
| A↓ | Horowhenua Tornado Community Recovery Action Plan | 33 |
| B↓ | Civic Financial Services - Annual Report | 34 |

| | | |
|-----------|--|---|
| Author(s) | Monique Davidson Chief Executive Officer |  |
|-----------|--|---|

| | | |
|-------------|--|---|
| Approved by | Monique Davidson Chief Executive Officer |  |
|-------------|--|---|

Tornado Community Recovery Action Plan

This action plan is driven by our desire to support our community through the devastation of the recent Tornado, and ensure that the long term economic and social impacts are minimised through our role as facilitators, coordinators and enablers.

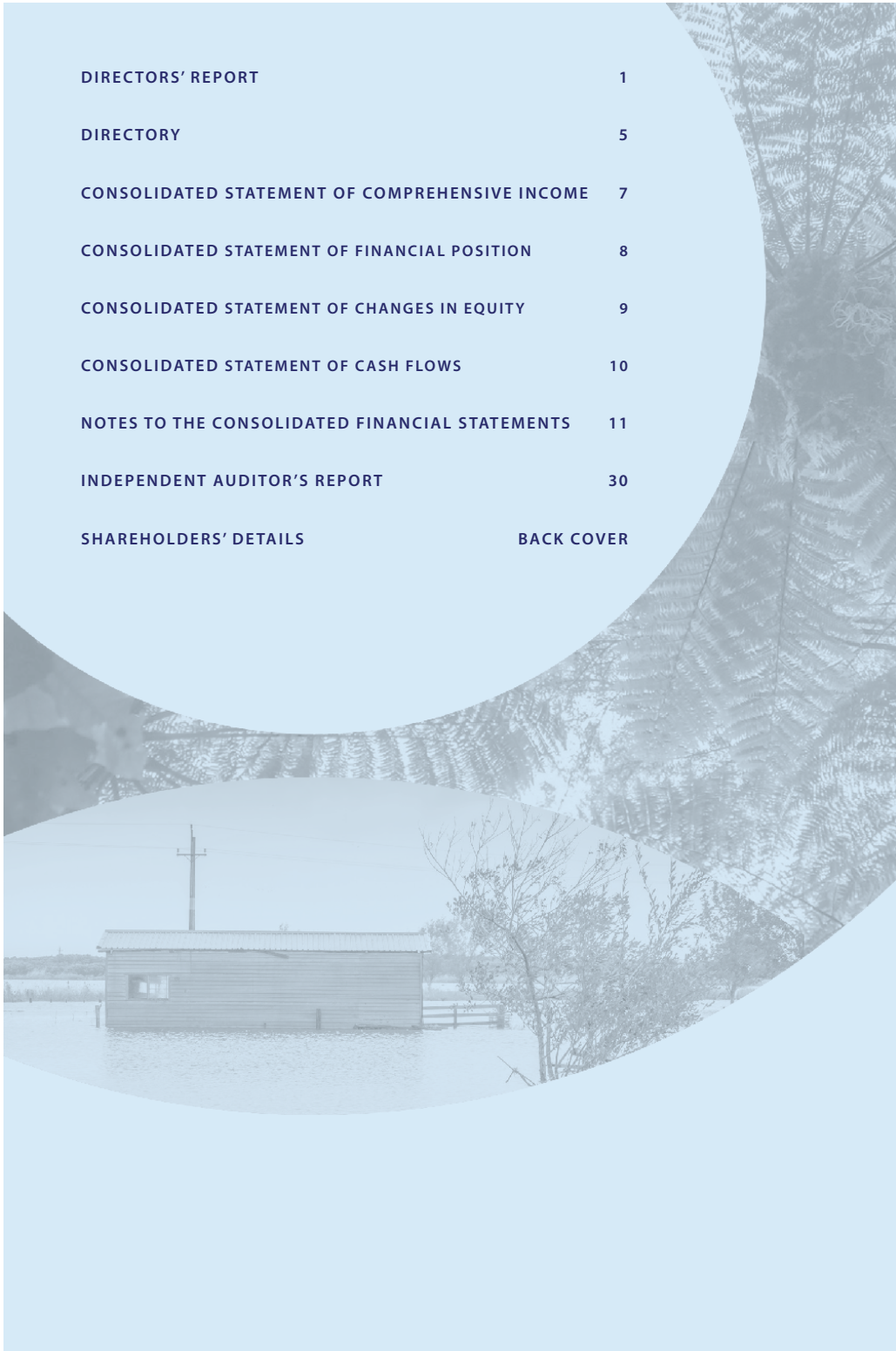
- 1** Lead Civil Defence in the Horowhenua to ensure comprehensive welfare support and broader coordination with key agencies, through the establishment of a dedicated recovery team following the initial response period.
- 2** Establish a Mayoral Relief Fund, with seed funding of \$100,000 followed by Central Government support and a community campaign to attract additional donations to the fund.
- 3** Lead an initial community clean up – activating the community spirit, followed by supporting a series of smaller clean up's.
- 4** Utilising the Mayoral Relief Fund, waive any building consent fees for properties affected by the tornado.
- 5** Council will consider Rates Remission and Rates Postponement Policies for businesses and home owners impacted by the tornado, allowing those in our community experiencing hardship due to the adverse weather event, have their rates payment postponed.
- 6** Prioritise neighbourhood events in those areas hit the hardest to help boost morale ie: Lincoln Reserve, Showgrounds.
- 7** Advocate for MPI to identify this as a localised adverse event; therefore enabling the tax relief assistance measures available via Inland Revenue.
- 8** Facilitate a "Growers" forum to hear the impact, and understand how Council can further support our primary industries most impacted.





ANNUAL REPORT 2021

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DIRECTORS' REPORT

ANNUAL REPORT AND STATEMENT OF ACCOUNTS FOR THE YEAR ENDED 31 DECEMBER 2021

Your Directors have pleasure in submitting the 61st Annual Report of the affairs of the Company (formerly New Zealand Local Government Insurance Corporation Ltd trading as Civic Assurance) for the year ended 31 December 2021, which is to be presented at the Annual General Meeting of Members in June 2022.

Directors operate under a Charter which outlines the specific role and responsibilities of the Board. Each Director must be assessed as being fit and proper in accordance with Civic's Fit and Proper Policy and at least two Directors must be independent, being neither a member or an employee of a local authority. The Directors are all subject to Civic's Code of Ethics. The Board has a Risk and Audit Committee which is governed by its own Charter and is responsible for maintaining the Board's risk management processes and policies, including ensuring compliance with regulatory and legal standards.

1. PERFORMANCE

Civic's before-tax profit in 2021 was \$502,167.

This compares favourably to the forecasted before-tax surplus of \$349,120 as set out in the 2021 Statement of Intent.

This increased profit is due to receiving higher than anticipated administration fees combined with reduced marketing and operating expenses.

2. OPERATIONS

Administration Services

Fees in 2021 from providing services to LAPP, Riskpool and the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes were \$3,100,598 (2020: \$2,973,440).

Investment Revenue

Income from investments was \$116,935 (2020: \$141,233).

Sponsorship and Support for the Sector

Civic continues as a sponsor of Taituarā – Local Government Professionals Aotearoa (previously known as SOLGM – Society of Local Government Managers) events both at a regional and national level.

3. ASSOCIATED ENTITIES

Local Government Superannuation Trustee Limited

Local Government Superannuation Trustee Limited (LGST) is a 100% subsidiary of Civic and is the trustee to the SuperEasy and SuperEasy KiwiSaver Superannuation

Schemes. Both Schemes are administered by Civic and are registered with the FMA (Financial Markets Authority). Director appointments to LGST are made by LGNZ (two), Civic (one), CTU (one), Taituarā (one) and one, who must be a Licensed Independent Trustee, by the LGST Board.

The Schemes feature low member charges and simple administration for councils. The Schemes offer an 'Automatic Fund', in which each member's risk exposure is gradually and automatically switched from growth assets to income assets as the member gets older. The SuperEasy website is www.supereasy.co.nz.

The Schemes have a combined membership of over 11,000, with funds under management as at December 2021 of \$530 million (December 2020 \$470 million). Of the councils that have a preferred provider for KiwiSaver, 69 out of 73 (94%) have appointed Civic. The investments of the funds are managed by Harbour Asset Management Limited and ANZ New Zealand Investments Limited.

LAPP Disaster Fund

LAPP is a charitable trust that was set up by LGNZ and Civic in 1993 to assist with the reinstatement of lost or damaged local government underground infrastructure. LAPP's membership is 23. It could be said that LAPP is New Zealand's original LASS (Local Authority Shared Services). LAPP's website is: www.lappfund.co.nz.

LAPP is currently managing Marlborough District Council's claim that resulted from the severe flood damage that hit the Marlborough region in July 2021. At the time of writing it is unknown how much this claim will be, but it will be well within LAPP's ability to pay, providing the benefit of full cover for all of the flood damaged assets registered with LAPP.

Civic is the administration and fund manager for LAPP.

Civic Financial Services Limited

DIRECTORS' REPORT

Riskpool/Civic Liability Pool (CLP)

Riskpool provides public liability and professional indemnity cover for councils and has done so since 1997. Riskpool is a mutual liability fund governed by a trust deed and can call on its member councils for financial support. CLP is similar to Riskpool but has no facility for calls.

However with reducing council support for Riskpool, it became increasingly difficult to offer competitively priced cover and risk management services. Consequently Riskpool/CLP decided to cease providing cover from 1 July 2017 and is now in run-off mode.

Local Government Mutual Funds Trustee Limited (LGMFT) is the trustee of Riskpool and CLP. Civic is the Fund Manager and Scheme Manager for Riskpool and Administration Manager for CLP.

Civic has entered into two arm's length, secured loan facility agreements on commercial terms with Local Government Mutual Funds Trustee Limited to enable Riskpool to manage its cashflows.

Riskpool members were advised in October 2018 that Riskpool would need to make an interim call before a final call would be made when Riskpool is wound up. The interim call was for \$6 million, payable on 1 July 2019.

It is expected that the final call from Riskpool, which is likely in 2025 or 2026, will be for a lessor amount.

4. DIRECTORS

As at 31 December 2021 there were four directors: J.B. Melville, J.E. Miller, B.J. Morrison, and C.R. Stevenson. A.J. Marryatt retired as a director with effect from 2 December 2021; A.T. Gray retired as a director with effect from 3 December 2021.

Director attendances at Board meetings held in 2021:

| | |
|-----------------|-------|
| Tony Gray | 6 / 6 |
| Tony Marryatt | 2 / 5 |
| John Melville | 6 / 6 |
| Jo Miller | 6 / 6 |
| Basil Morrison | 6 / 6 |
| Craig Stevenson | 1 / 1 |

Craig Stevenson was appointed a Director on 3 December 2021.

Nicola Mills was appointed a Director after year end, on 14 January 2022.

The Chairmen of each of the Board and the Risk and Audit Committee are elected at the first meeting held after each year's AGM.

Section 139 of the Companies Act 1993

All Civic directors are directors of LGMFT except Basil Morrison who resigned from LGMFT in March 2019 to ensure that one Civic director was independent of LGMFT. Subsequently two secured loan facility agreements have been entered into between Civic and LGMFT whereby Civic loans LGMFT up to \$2,250,000 under each of two separate loans.

There are no other notices required under section 139 of the Companies Act 1993 except for Directors' remuneration. Changes to the Directors' fee pool are approved by shareholders at an AGM. The Board determines the allocation per Director based on the duties of the individual Director. The Director fees for subsidiary companies are set by the Civic Board.

For the year ended 31 December 2021, Directors' remuneration was:

| | |
|-----------------|------------------|
| Tony Gray | \$18,030 |
| Tony Marryatt | \$22,261 |
| John Melville | \$27,749 |
| Jo Miller | \$15,803 |
| Basil Morrison | \$15,803 |
| Craig Stevenson | \$1,255 |
| | \$100,901 |

In addition, the following Directors received fees in relation to their directorships of Riskpool or LGST:

| | | |
|-----------------|------------|-----------------|
| Tony Gray | (Riskpool) | \$7,678 |
| Tony Marryatt | (Riskpool) | \$11,742 |
| John Melville | (Riskpool) | \$12,533 |
| Jo Miller | (Riskpool) | \$8,310 |
| Basil Morrison | (LGST) | \$13,411 |
| Craig Stevenson | (Riskpool) | \$655 |
| | | \$54,329 |

DIRECTORS' REPORT

Interests Register

Directors' interests are tabled at the beginning of each Board meeting. Directorship and other disclosures as at 31 December 2021 were:

| | |
|----------------|--|
| J.B. Melville | Trustee of Civic Property Pool; Director of Local Government Mutual Funds Trustee Ltd; a party to an agreement for finance with the LGMFT. |
| J. E. Miller | Trustee of Civic Property Pool; Director of Local Government Mutual Funds Trustee Ltd; a party to an agreement for finance the LGMFT; Member of SuperEasy KiwiSaver Superannuation Scheme; Chief Executive of Hutt City Council; Vice President of Taituarā Executive Council; Board Member Hutt Valley Chamber of Commerce. |
| B.J. Morrison | Chairman of Local Government Superannuation Trustee Ltd; Basil J Morrison & Associates Ltd; Member of SuperEasy KiwiSaver Superannuation Scheme; Trustee of Civic Property Pool; Trustee of the Martha Trust; Trustee of Hauraki Railtrail Charitable Trust; Waitangi Tribunal Member; Independent Hearings Commissioner for Auckland Council; Honorary Consul for Uganda; Thames-Coromandel District Council Hearings Panel; Waikato Regional Council Hearings Commissioner; NZ Freshwater Commissioner; Accredited Commissioner – RMA. |
| C.R. Stevenson | Trustee of Civic Property Pool; Director of Local Government Mutual Funds Trustee Ltd; a party to an agreement for finance with the LGMFT; Member of Local Government Superannuation Scheme and SuperEasy KiwiSaver Superannuation Scheme; Chief Executive of New Plymouth District Council; Trustee of Ratanui Trust. |

The Company provides Directors and officers with, and pays the premiums for, Directors' and Officers' liability insurance to the full extent allowed for in accordance with the requirements of the Companies Act 1993. The renewal of the Company's Directors' and Officers' liability insurance was entered in the Interests Register pursuant to sections 162 and 163 of the Companies Act 1993. This insurance does not cover liabilities arising from criminal actions or deliberate and reckless acts or omissions by the Directors. The cover includes indemnity of costs and expenses incurred in defending an action that falls within the scope of the indemnity.

Use of Information

Directors, individually or collectively, may obtain independent professional advice relating to any matters concerning the Company's business or in relation to the discharge of the Director's responsibilities. Subject to approval of the Chairman the Company will reimburse the Director(s) some or all of the reasonable costs of the advice. During the reporting period, no Director has sought leave to obtain such advice.

Loans to Directors

No loans or advances have been made to Directors, their spouses or dependants, or to related parties during the year.

5. EMPLOYEE REMUNERATION

Detailed below is the number of employees who received remuneration in their capacity as employees of \$100,000 or more during the year ended 31 December 2021.

| Remuneration | Number of Employees |
|-----------------------|---------------------|
| \$160,000 – \$170,000 | 1 |
| \$200,000 – \$210,000 | 1 |

The above remunerations include Company contributions to employees' superannuation (KiwiSaver and other), medical insurances and discretionary bonus payments.

Civic Financial Services Limited

DIRECTORS' REPORT

6. AUDIT AND RISK MANAGEMENT

Pursuant to Section 15 of the Public Audit Act 2001 the Company's auditor is the Auditor General who has appointed Hamish Anton using the staff and resources of Deloitte Limited to carry out the audit on his behalf.

The Risk and Audit Committee comprises the full Board. Tony Gray is the Chairman of this committee. The Committee met five times in 2021: the Auditor attended two of those meetings and at one of those meetings proceedings took place without management present.

7. DONATIONS

No donations have been made during the year by any Company in the Group (2020: \$0).

8. STAFF

Recognising the stress that Covid has created within the office and in the lives of the staff, the Directors would sincerely thank the staff – Ian Brown, Charlie Howe, Glenn Watkin, Sylvia Jackson, Chathuri Mendis, Jen McGahan, Lisa Norris, Tim Sole and Sue Tong – for their work and support during the year.



John Melville **Chairman**
March 2022

Civic Financial Services Limited

DIRECTORY

DIRECTORS

John B. Melville (Chairman)
Johanna E. Miller
Nicola K. Mills
Basil J. Morrison CNZM JP
Craig R. Stevenson

EXECUTIVE OFFICERS

Chief Executive : Charlie Howe
Chief Financial Officer : Glenn Watkin

COMPANY REGISTRATION NO: 13271

AUDITORS

The Auditor General, who has appointed Hamish Anton, Deloitte Limited to carry out the audit on his behalf

BANKERS

ANZ Banking Group (New Zealand) Limited
Bank of New Zealand

LEGAL ADVISERS

Dentons Kensington Swan

REGISTERED OFFICE

Level 7, Civic Assurance House, 116 Lambton Quay, Wellington 6011

POSTAL ADDRESS

Civic Financial Services Ltd, PO Box 5521, Wellington 6140

OTHER CONTACT DETAILS

Telephone (04) 978 1250
Facsimile (04) 978 1260
Email admin@civicfs.co.nz
Website www.civicfs.co.nz

The Company is a participant in the Insurance & Financial Services Ombudsman Scheme (Inc)
Participant Number 2000427

Statement of Accounts

Civic Financial Services Limited

CONSOLIDATED STATEMENT OF COMPREHENSIVE INCOME

FOR THE YEAR ENDED 31 DECEMBER 2021

| | NOTE | 2021 \$ | 2020 \$ |
|--|------|------------------|------------------|
| REVENUE | | | |
| Administration Fees | 17 | 3,100,598 | 2,973,440 |
| Interest Income | 4 | 116,935 | 141,233 |
| Other Income | | 775 | 608 |
| Total Revenue | | 3,218,308 | 3,115,281 |
| EXPENDITURE | | | |
| Audit Fee | 14 | | |
| Statutory Audit of the Financial Statements | | 103,697 | 127,639 |
| Other Fees Paid to Auditors for Assurance Services | | 30,368 | 26,784 |
| Other Fees Paid to Auditors for Tax Compliance | | - | 37,388 |
| Depreciation | 7 | 18,169 | 16,107 |
| Amortisation | 7 | 12,047 | 65 |
| Directors' Remuneration | 3 | 100,901 | 100,646 |
| Interest Expense | | 12,264 | - |
| Other Expenses | 6 | 1,617,381 | 1,579,736 |
| Employee Remuneration | 3 | 797,637 | 725,518 |
| Superannuation Subsidies | | 23,677 | 20,940 |
| Total Expenditure | | 2,716,141 | 2,634,823 |
| Surplus Before Taxation | | 502,167 | 480,458 |
| Taxation Expense | 10 | 141,639 | 135,635 |
| TOTAL COMPREHENSIVE SURPLUS AFTER TAX ATTRIBUTABLE TO OWNERS OF THE COMPANY | 15 | 360,528 | 344,823 |

This statement is to be read in conjunction with the notes on pages 11 to 29.

Civic Financial Services Limited

CONSOLIDATED STATEMENT OF FINANCIAL POSITION

AS AT 31 DECEMBER 2021

| | NOTE | 2021 \$ | 2020 \$ |
|---|------|-------------------|-------------------|
| SHAREHOLDERS' EQUITY | | | |
| Issued and Paid-Up Ordinary Shares | | | |
| Ordinary Shares fully paid up | 15 | 10,763,506 | 10,763,506 |
| Retained Earnings | 15 | 418,894 | 58,366 |
| TOTAL EQUITY | | 11,182,400 | 10,821,872 |
| Represented By: | | | |
| CURRENT ASSETS | | | |
| Cash & Cash Equivalents | | 335,363 | 881,761 |
| Term Deposits | | 5,914,564 | 4,735,000 |
| Accrued Interest Receivable | | 21,349 | 15,396 |
| Sundry Debtors and Prepayments | 12 | 649,448 | 526,169 |
| Loan Receivable | 13 | 2,408,002 | 2,588,354 |
| Total Current Assets | | 9,328,726 | 8,746,680 |
| NON CURRENT ASSETS | | | |
| Property, Plant and Equipment | 7 | 46,297 | 28,728 |
| Intangible Assets (Software) | 7 | 158,838 | 170,885 |
| Deferred Tax Asset | 10 | 2,208,806 | 2,350,445 |
| Total Non Current Assets | | 2,413,941 | 2,550,058 |
| TOTAL ASSETS | | 11,742,667 | 11,296,738 |
| CURRENT LIABILITIES | | | |
| Sundry Creditors and Accrued Charges | 12 | 412,593 | 328,375 |
| Accrued Holiday Pay | | 88,752 | 68,312 |
| CLP/ Riskpool Admin Fee Reserve | | 52,530 | 52,530 |
| Total Current Liabilities | | 553,875 | 449,217 |
| NON-CURRENT LIABILITIES | | | |
| CLP/ Riskpool Admin Fee Reserve | | 6,392 | 25,649 |
| Total Non Current Liabilities | | 6,392 | 25,649 |
| TOTAL LIABILITIES | | 560,267 | 474,866 |
| EXCESS OF ASSETS OVER LIABILITIES | | 11,182,400 | 10,821,872 |

For and on behalf of the Directors



JOHN MELVILLE Chairman 11 March 2022



BASIL MORRISON Director 11 March 2022

This statement is to be read in conjunction with the notes on pages 11 to 29.

Civic Financial Services Limited

CONSOLIDATED STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 31 DECEMBER 2021

| | NOTE | 2021 \$ | 2020 \$ |
|--|------|-------------------|-------------------|
| OPENING EQUITY | | 10,821,872 | 10,477,049 |
| Total Comprehensive Surplus Net of Tax | | 360,528 | 344,823 |
| Dividend Payment | | - | - |
| Ordinary Shares issued during the year | 15 | - | - |
| CLOSING EQUITY | | 11,182,400 | 10,821,872 |

This statement is to be read in conjunction with the notes on pages 11 to 29.

Civic Financial Services Limited

CONSOLIDATED STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED 31 DECEMBER 2021

| | NOTE | 2021 \$ | 2020 \$ |
|--|-----------|------------------|----------------|
| CASH FLOWS FROM OPERATING ACTIVITIES | | | |
| Cash was provided from: | | | |
| Administration Fees Received | | 3,028,084 | 2,970,690 |
| Other Income | | 775 | 608 |
| | | 3,028,859 | 2,971,298 |
| Cash was applied to: | | | |
| Payments to Suppliers and Employees | | 2,639,025 | 2,360,681 |
| | | 2,639,025 | 2,360,681 |
| Net Cash Flow from Operating Activities | 11 | 389,834 | 610,617 |
| CASH FLOWS FROM INVESTING ACTIVITIES | | | |
| Cash was provided from: | | | |
| Investment Income | | 45,648 | 74,872 |
| Term Deposits | | - | 555,045 |
| Loans Repaid from Related Parties | | 2,271,655 | 3,422,432 |
| | | 2,317,303 | 4,052,349 |
| Cash was applied to: | | | |
| Term Deposits | | 1,179,564 | - |
| Purchase of Property, Plant and Equipment | | 35,738 | 92,338 |
| Loans Issued to Related Parties | | 2,026,299 | 3,963,376 |
| | | 3,241,601 | 4,055,714 |
| Net Cash Flow (used in) / from Investing Activities | | (924,298) | (3,365) |
| CASH FLOWS FROM FINANCING ACTIVITIES | | | |
| Cash was provided from: | | | |
| Loan Interest Received | | 330 | 81 |
| | | 330 | 81 |
| Cash was applied to: | | | |
| Interest Paid | | 12,264 | - |
| | | 12,264 | - |
| Net Cash Flow (used in) / from Financing Activities | | (11,934) | 81 |
| Net (Decrease)/Increase in Cash Held | | (546,398) | 607,333 |
| Opening Cash Balance as at 1 January | | 881,761 | 274,428 |
| Closing Cash Balance as at 31 December | | 335,363 | 881,761 |
| Being: | | | |
| Cash & Cash Equivalents | | 335,363 | 881,761 |

This statement is to be read in conjunction with the notes on pages 11 to 29.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 1 REPORTING ENTITY

The reporting entity is Civic Financial Services Ltd (the "Company"). The Group comprises the Company and its subsidiaries listed in note 2 (b). The Group provides financial services principally for New Zealand local government.

Statement of Compliance

The Group is a Tier 2 Public Sector Public Benefit Entity and the financial statements have been prepared in accordance with and comply with Tier 2 Public Sector Public Benefit Entity (PBE) Standards.

NOTE 2 STATEMENT OF ACCOUNTING POLICIES

General Accounting Policies

The measurement and reporting of profits on a historical cost basis have been followed by the Group, except for specific policies as described below. The reporting currency is New Zealand dollars.

Critical Judgements and Estimates in Applying the Accounting Policies

In the application of the PBE Standards the Directors are required to make judgements, estimates and assumptions about the carrying value of assets and liabilities that are not readily apparent from other sources. These are based on historical experience and other various factors and are reviewed on an ongoing basis.

The Directors believe that, as at the date of these financial statements, there are no significant sources of estimation uncertainty that have not been disclosed in these notes. The most significant judgements, estimates and assumptions made in the preparation of these financial statements are in respect of the recognition of the deferred tax asset (Note 10).

Particular Accounting Policies

The following particular accounting policies which materially affect the measurement of surplus and financial position have been applied. Further particular accounting policies are contained in the relevant notes to the financial statements.

(a) Consolidation of Subsidiaries

The Group financial statements incorporate the financial statements of the Company and its subsidiaries. All inter-company transactions, balances and unrealised profits are eliminated on consolidation.

(b) Investment in Subsidiaries

At 31 December 2021 the Company had three wholly owned subsidiaries which are all incorporated in New Zealand. Two of these, Local Government Superannuation Trustee Limited and SuperEasy Limited with balance dates of 31 December and Local Government Mutual Funds Trustee Limited (LGMFTL) with its balance date of 30 June did not have any significant assets, liabilities, revenue or expenses during the years ended 31 December 2020 and 31 December 2021.

LGMFTL is the trustee of New Zealand Mutual Liability Riskpool ("Riskpool") and Civic Liability Pool ("CLP"). The Company provides administrative services to Riskpool and CLP.

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 2 STATEMENT OF ACCOUNTING POLICIES CONTINUED

(c) Administration Fees

Administration fees are recognised at the agreed amounts based on time and expenses incurred. Administration fees collected during the year that will be utilised in future periods are held within the administration fee reserve on the Statement of Financial Position, until the point in time where administration services have been provided.

(d) Employee Benefits

Provision is made for benefits accruing to employees in respect of wages and salaries and annual leave when it is probable that settlement will be required and they are capable of being measured reliably.

Provisions made in respect of employee benefits are measured at their nominal values using the remuneration rate expected to apply at the time of settlement.

(e) Basis of Measuring Other Income and Expenses

Income and expenses are accounted for on an accruals basis. All revenue is exchange revenue.

(f) Changes in Accounting Policies

There have been no material changes in the accounting policies during the year. All policies have been applied on a basis consistent with those used in the prior year.

NOTE 3 KEY MANAGEMENT PERSONNEL

The compensation of the Directors and executives, being the key management personnel of the Group, is set out below.

| | 2021 | 2020 | 2021 | 2020 |
|-------------------------------------|--------|------|----------------|----------------|
| | Number | | \$ | \$ |
| Short term employee benefits | | | | |
| Executive Management Personnel | 4 | 3 | 506,726 | 427,434 |
| Directors | 5 | 5 | 100,901 | 100,646 |
| | | | 607,627 | 528,080 |

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 4 FINANCIAL INSTRUMENTS

Accounting Policies:

i) Classification and Measurement

Financial instruments are transacted on a commercial basis to derive an interest yield / cost with the terms and conditions having due regard to the nature of the transaction and the risks involved. Financial instruments are recognised and accounted for on a settlement date basis.

Loans and Receivables

Other receivables are measured at initial recognition at fair value, and are subsequently measured at amortised cost using the effective interest rate.

Bank and Cash Equivalents

Bank and cash equivalents are measured at amortised cost using the effective interest rate.

Financial Liabilities

Financial liabilities include Sundry Creditors, Accrued Charges and Subordinated Debt. Financial liabilities are recorded initially at fair value, net of transaction costs. Subsequent to initial recognition, liabilities are measured at amortised cost.

ii) Offsetting Financial Instruments

Financial assets and liabilities are not offset as there is no legally enforceable right to set-off.

iii) Asset Quality

Impairment of Financial Assets

Financial assets measured at amortised cost are reviewed at each balance date to determine whether there is any objective evidence of impairment. If any such condition exists, the asset's recoverable amount is estimated and provision is made for the difference between the carrying amount and the recoverable amount.

As at the date of these Financial Statements, no such evidence of impairment exists.

iv) Fair Value of Financial Instruments

Fair value measurements recognised in the Statement of Financial Position

Financial instruments are categorised into 3 levels:

- **Level 1** fair value measurements are those derived from quoted prices (unadjusted) in active markets for identical assets or liabilities;
- **Level 2** fair value measurements are those derived from inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly (i.e. as prices) or indirectly (i.e. derived from prices); and
- **Level 3** fair value measurements are those derived from valuation techniques that include inputs for the asset or liability that are not based on observable market data (unobservable inputs).

v) Derivatives

The Group do not use any derivative financial instruments.

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED

Accounting Policies: continued

(1) Income Relating to Financial Assets

| | 2021 \$ | 2020 \$ |
|---|----------------|----------------|
| Loans | | |
| Interest Received – Loans | 65,334 | 50,965 |
| Cash & Cash Equivalents | | |
| Interest Received – Short Term Deposits | 51,601 | 90,268 |
| Total Interest Income | 116,935 | 141,233 |

(2) Financial Assets and Liabilities

The carrying amounts of all financial assets and liabilities are considered to be equivalent to their market value, which for these assets and liabilities is also considered to be fair value.

The Subordinated Debt is measured at amortised cost which is considered to be fair value.

All fixed interest investments were managed around a 90 day duration and carry a minimum Standard and Poors credit rating of "A" or equivalent.

Loans are secured against Riskpool's future contributions and repayable with six months notice (refer to Note 13).

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED

(2) **Financial Assets and Liabilities** continued

Carrying value of Financial Assets and Financial Liabilities

| | 2021 \$ | 2020 \$ |
|--|------------------|------------------|
| Financial Asset: Loans and Receivables | | |
| Sundry Debtors | 537,894 | 484,840 |
| Loans | 2,408,002 | 2,588,354 |
| Total Loans and Receivables | 2,945,896 | 3,073,194 |
| Financial Asset: Amortised Cost | | |
| Cash & Cash Equivalents | 335,363 | 881,761 |
| Term Deposits | 5,914,564 | 4,735,000 |
| Total Financial Assets: Amortised Cost | 6,249,927 | 5,616,761 |
| Financial Liability: Amortised Cost | | |
| Sundry Creditors & Accrued Charges | 412,593 | 328,375 |
| Total Financial Liabilities: Amortised Cost | 412,593 | 328,375 |

(3) **Financial Risk – Structure and Management**

The Group manages its capital to ensure that the entities in the Group will be able to continue as a going concern. The Group's overall strategy is reviewed annually and remains unchanged.

Financial instruments which potentially subject the Group to a concentration of credit risk consist principally of cash, debtors and interest bearing deposits. The Group has no debt liability instruments.

Apart from security against Riskpool's future contributions, the Group does not require collateral or other security to support financial instruments with credit risk. As such, no collateral exists for any of the investments held by the Group. The maximum credit risk exposure is the carrying amount of the individual debtor and investment balances.

The Group has placed interest bearing deposits and funds to be managed with financial institutions and limits its amount of credit exposure to any one such institution.

(a) **Market Risk**

All financial assets and liabilities are New Zealand Dollar based and are recorded at amortised cost, therefore changes in interest rates and foreign currency values do not impact on their carrying value.

(b) **Carrying Amount and Fair Value**

The carrying amounts of all financial assets and liabilities are considered to be equivalent to their fair value.

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED

(3) Financial Risk – Structure and Management continued

(c) Liquidity Risk

Liquidity Risk is the risk that the Group will encounter difficulties in raising funds at short notice to meet commitments associated with financial instruments. Management of liquidity risk is designed to ensure that the Group has the ability to meet financial obligations as they fall due.

The following tables include an analysis of the contractual undiscounted cash flows relating to the Group's financial assets and liabilities categorised by the maturity dates.

| Maturity Analysis as at 31 December 2021 | | | | | | |
|--|------------------------|--------------------|-------------------|-----------------|-----------------|------------------|
| | Interest Rate Spread % | Within 6 months \$ | 6 to 12 months \$ | 1 to 2 years \$ | 2 to 5 years \$ | Total \$ |
| Assets | | | | | | |
| Cash & Cash Equivalents | 0 to 0.15% | 335,363 | - | - | - | 335,363 |
| Term Deposits & Accrued Interest | 0.8% to 1.7% | 3,732,341 | 2,203,572 | - | - | 5,935,913 |
| Other Receivables | n/a | 537,894 | - | - | - | 537,894 |
| Loans | 2.93% to 3.28% | 2,408,002 | - | - | - | 2,408,002 |
| Total Financial Assets | | 7,013,600 | 2,203,572 | - | - | 9,217,172 |
| Liabilities | | | | | | |
| Sundry Creditors & Accrued Expenses | n/a | 412,593 | - | - | - | 412,593 |
| Total Financial Liabilities | | 412,593 | - | - | - | 412,593 |
| Maturity Analysis as at 31 December 2020 | | | | | | |
| | Interest Rate Spread % | Within 6 months \$ | 6 to 12 months \$ | 1 to 2 years \$ | 2 to 5 years \$ | Total \$ |
| Assets | | | | | | |
| Cash & Cash Equivalents | 0 to 0.48% | 897,157 | - | - | - | 897,157 |
| Term Deposits & Accrued Interest | 0.7% to 1.78% | 2,749,730 | 2,000,666 | - | - | 4,750,396 |
| Other Receivables | n/a | 484,840 | - | - | - | 484,840 |
| Loans | 2.96% to 3.96% | 2,588,354 | - | - | - | 2,588,354 |
| Total Financial Assets | | 6,720,081 | 2,000,666 | - | - | 8,720,747 |
| Liabilities | | | | | | |
| Sundry Creditors & Accrued Expenses | n/a | 328,375 | - | - | - | 328,375 |
| Total Financial Liabilities | | 328,375 | - | - | - | 328,375 |

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 4 FINANCIAL INSTRUMENTS CONTINUED

(3) **Financial Risk – Structure and Management** continued

(d) **Credit Risk**

All investments are in the form of cash held at registered banks and loans. The registered banks have a credit rating of "A" or better. Loans are with Riskpool (refer to Note 13).

(i) **Exposure to Credit Risk**

| | 2021 \$ | 2020 \$ |
|----------------------------------|------------------|------------------|
| Cash & Cash Equivalents | 335,363 | 897,157 |
| Term Deposits & Accrued Interest | 5,935,913 | 4,750,396 |
| Other Receivables | 537,894 | 484,840 |
| Loans | 2,408,002 | 2,588,354 |
| Total | 9,217,172 | 8,720,747 |

(ii) **Concentration of Credit Exposure**

94% of the Company's credit exposure is in the form of cash and term deposits held with registered banks and loans to Riskpool.

NOTE 5 OPERATING LEASE COMMITMENTS

| | 2021 \$ | 2020 \$ |
|---|----------------|----------------|
| Operating Lease Expense Commitments: | | |
| not later than one year | 70,763 | 69,807 |
| later than one year but not later than five years | 184,629 | 251,888 |
| later than five years | - | - |
| | 255,392 | 321,695 |

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 6 OTHER EXPENSES

| | 2021 \$ | 2020 \$ |
|------------------|------------------|------------------|
| Compliance Costs | 77,324 | 140,179 |
| Consultants | 115,200 | 82,075 |
| Legal Fees | 109,289 | 180,747 |
| Other Expenses | 1,315,568 | 1,176,735 |
| Total | 1,617,381 | 1,579,736 |

NOTE 7 PROPERTY, PLANT & EQUIPMENT AND INTANGIBLE ASSETS

Accounting Policy:

Assets are depreciated on a straight line basis at rates calculated to allocate the assets' cost, in equal instalments over their estimated useful lives which are assessed and regularly reviewed.

| Depreciation Rates | |
|--------------------------------|----------------|
| Office Furniture and Equipment | up to 17 years |
| Intangibles – Software | 5 years |

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 7 PROPERTY, PLANT & EQUIPMENT AND INTANGIBLE ASSETS CONTINUED

| | 2021 \$ | 2020 \$ |
|---|---------------|---------------|
| (a) Property, Plant and Equipment | | |
| Office Furniture and Equipment – cost | 139,772 | 129,384 |
| Plus Additions | 35,738 | 10,388 |
| Less Disposals | - | - |
| Closing Value – cost | 175,510 | 139,772 |
| Office Furniture and Equipment – Accumulated Depreciation | (111,044) | (94,937) |
| Less Depreciation Charge | (18,169) | (16,107) |
| Less Disposals | - | - |
| Closing Accumulated Depreciation | (129,213) | (111,044) |
| Net Book Value | 46,297 | 28,728 |

The Total Comprehensive Surplus After Tax in the Statement of Comprehensive Income includes no gains or losses on disposal of fixed assets (2020: \$nil).

| | 2021 \$ | 2020 \$ |
|-------------------------------------|----------------|----------------|
| (b) Intangible Assets | | |
| Software – cost | 601,403 | 519,453 |
| Plus Additions | - | 81,950 |
| Less Disposals | (166,339) | - |
| Closing Value – cost | 435,064 | 601,403 |
| Software – Accumulated Amortisation | (430,518) | (430,453) |
| Less Amortisation Charge | (12,047) | (65) |
| Less Disposals | 166,339 | - |
| Closing Accumulated Amortisation | (276,226) | (430,518) |
| Net Book Value | 158,838 | 170,885 |

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 8 ANALYSIS OF FINANCIAL ASSETS NOT IMPAIRED

There are no financial assets that are impaired or past due at balance date (2020: \$nil).

NOTE 9 CONTINGENT LIABILITIES

There are no contingent liabilities (2020: \$nil).

NOTE 10 TAXATION

Accounting Policies:

i) Current Tax

The current income tax expense charged against the profit for the year is the estimated liability in respect of the taxable profit. It is calculated using tax rates and tax laws that have been enacted or substantively enacted by reporting date. Current tax for the current and prior periods is recognised as a liability (or asset) to the extent that it is unpaid (or refundable). Tax assets are offset only when there is a legally enforceable right to set off the recognised amounts, and an intention to settle on a net basis.

ii) Deferred Tax

The liability method of accounting for deferred taxation is applied on a comprehensive balance sheet basis in respect of temporary differences between the carrying amounts of assets and liabilities in the financial statements and the corresponding tax base of those items.

Deferred tax liabilities are recognised for all temporary differences. Deferred tax assets are reviewed at each balance date and reduced to the extent that it is no longer probable that sufficient taxable profits will be available to allow all or part of the asset to be recovered.

Deferred tax is calculated at the tax rates that are expected to apply in the period when the liability is settled or the asset is realised. Deferred tax is charged or credited in the Statement of Comprehensive Income.

Significant judgements, estimates and assumptions are made in respect of the recognition of the deferred tax asset. It is recognised that the deferred tax asset will be utilised over a relatively long time period. The Entity expects to remain profitable and have a steady income stream over the medium to long term, matching its low margin long dated products.

iii) Goods and Services Tax (GST)

Revenue, expenses, assets and liabilities are recognised net of the amount of GST except:

- When the GST incurred on a purchase of goods and services is not recoverable from the taxation authority the GST is recognised as part of the cost of the acquisition of the assets or as part of the expense item as applicable.
- Receivables and payables, which are stated with the amount of GST included.

The net amount of GST recoverable from, or payable to, the taxation authority is included as part of receivables or payables in the Statement of Financial Position.

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 10 TAXATION CONTINUED

(a) **Income tax recognised in the Statement of Comprehensive Income**

| | 2021 \$ | 2020 \$ |
|--|----------------|----------------|
| Tax expense comprises: | | |
| Current tax expense | - | - |
| Adjustments recognised in the current year in relation to the current tax of prior years | - | - |
| Deferred tax relating to temporary differences | 141,639 | 135,635 |
| Total tax expense | 141,639 | 135,635 |
| Attributable to: | | |
| Continuing operations | 141,639 | 135,635 |
| | 141,639 | 135,635 |

The prima facie income tax expense on pre-tax accounting profit from operations reconciles to the income tax expense in the financial statements as follows:

| | 2021 \$ | 2020 \$ |
|-------------------------------------|----------------|----------------|
| Surplus before tax | 502,167 | 480,458 |
| Income tax calculated at 28% | 140,607 | 134,528 |
| Tax effect of permanent differences | 1,032 | 830 |
| Prior Period Adjustment | - | 277 |
| Income Tax Expense | 141,639 | 135,635 |

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 10 TAXATION CONTINUED

(b) Current tax assets and liabilities

| | 2021 | 2020 |
|-----------------------|------|------|
| | \$ | \$ |
| Tax refund receivable | - | - |
| | - | - |

(c) Deferred tax balances

| | 2021 | 2020 |
|---|------------------|------------------|
| | \$ | \$ |
| Deferred tax assets comprise: | | |
| Temporary differences | 2,208,172 | 2,349,610 |
| | 2,208,172 | 2,349,610 |
| Deferred tax liabilities comprise: | | |
| Temporary differences | 634 | 835 |
| | 634 | 835 |
| Net Deferred Tax balance | 2,208,806 | 2,350,445 |

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 10 TAXATION CONTINUED

(c) **Deferred tax balances** continued

Gross taxable and deductible temporary differences for the Group arise from the following:

| | Opening Balance \$ | Charged to Income \$ | Charged to Equity \$ | Prior Period Adjustment \$ | Closing Balance \$ |
|-------------------------|--------------------------|----------------------------|----------------------------|----------------------------------|--------------------------|
| 2021 | Property and equipment | 2,987 | (718) | - | 2,269 |
| | | 2,987 | (718) | - | 2,269 |
| | Employee entitlements | 62,036 | 22,416 | - | 84,452 |
| | Losses carried forward | 8,329,428 | (527,552) | - | 7,801,875 |
| | | 8,391,464 | (505,136) | - | 7,886,328 |
| | Attributable to: | | | | |
| | Continuing operations | 8,394,451 | (505,854) | - | 7,888,597 |
| | Total | 8,394,451 | (505,854) | - | 7,888,597 |
| | Tax effect at 28% | 2,350,445 | (141,639) | - | 2,208,806 |
| | 2020 | Property and equipment | 5,057 | (1,081) | (989) |
| | | 5,057 | (1,081) | (989) | 2,987 |
| Employee entitlements | | 26,540 | 35,496 | - | 62,036 |
| Losses carried forward | | 8,847,264 | (517,836) | - | 8,329,428 |
| | | 8,873,804 | (482,340) | - | 8,391,464 |
| Attributable to: | | | | | |
| Continuing operations | | 8,878,861 | (483,421) | (989) | 8,394,451 |
| Total | | 8,878,861 | (483,421) | (989) | 8,394,451 |
| Tax effect at 28% | | 2,486,080 | (135,358) | (277) | 2,350,445 |

No liability has been recognised in respect of the undistributed earnings of subsidiaries because the Group is in a position to control the timing of the reversal of the temporary differences and it is probable that such differences will not reverse in the foreseeable future.

The deferred tax asset relating to tax losses carried forward has been recognised as the financial forecasts anticipate the Group maintaining sufficient profitability in future financial years to utilise these losses (refer Note 20).

(d) **Imputation Credit Account**

| | 2021 \$ | 2020 \$ |
|------------------------|------------------|------------------|
| Closing Balance | 1,593,490 | 1,593,490 |

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 11 RECONCILIATION OF COMPREHENSIVE INCOME AFTER TAX WITH CASH FLOW FROM OPERATING ACTIVITIES

Accounting Policy:

The Statement of Cash Flows is prepared exclusive of GST, which is consistent with the method used in the Statement of Comprehensive Income. The GST component of cash flows arising from investing and financing activities, which is recoverable from or payable to, the taxation authority is classified as operating cash flow.

The following are definitions of the terms used in the Statement of Cash Flows:

- *Bank comprises cash on hand and demand deposits.*
- *Cash equivalents are short-term, highly liquid investments that are readily convertible to known amounts of Cash and which are subject to insignificant risk of changes in value.*
- *Cash flows are inflows and outflows of cash and cash equivalents.*
- *Operating activities are the principal revenue producing activities of the entity and other activities that are not investing or financing activities.*
- *Investing activities are the acquisition and disposal of long-term assets.*
- *Financing activities are activities that result in changes in the size and composition of the contributed equity and borrowings of the entity.*

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 11 RECONCILIATION OF COMPREHENSIVE INCOME AFTER TAX WITH CASH FLOW FROM OPERATING ACTIVITIES CONTINUED

| | 2021 \$ | 2020 \$ |
|--|----------------|----------------|
| Total Comprehensive Surplus | 360,528 | 344,823 |
| Add/(less) non cash items | | |
| Loan Interest | (65,003) | (50,883) |
| Depreciation | 18,169 | 16,107 |
| Amortisation | 12,047 | 65 |
| Movement in CLP/ Riskpool Admin Fee Reserve | (19,256) | (19,256) |
| Movement in Deferred Tax Asset | 141,639 | 135,635 |
| Net change in fair value of investment property | - | - |
| | 87,597 | 81,668 |
| Add/(less) movements in other working capital items | | |
| Sundry Debtors, Prepayments and Accrued Interest | (129,232) | 28,440 |
| Sundry Creditors and Accrued Charges | 104,657 | 246,035 |
| Tax Refund Due | - | - |
| | (24,576) | 274,475 |
| Add/(Less) Items Classified as Investing Activity | (45,979) | (90,349) |
| Add/(Less) Items Classified as Financing Activity | 12,264 | - |
| Net Cash Flow from Operating Activities | 389,834 | 610,617 |

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 12 SUNDRY DEBTORS AND CREDITORS

(a) Sundry Debtors and Prepayments

| | 2021 \$ | 2020 \$ |
|---------------------------------------|----------------|----------------|
| Sundry Debtors | 537,894 | 484,840 |
| Prepayments | 109,000 | 41,329 |
| GST Receivable | 2,554 | - |
| Sundry Debtors and Prepayments | 649,448 | 526,169 |

(b) Sundry Creditors and Accrued Charges

| | 2021 \$ | 2020 \$ |
|---|----------------|----------------|
| Sundry Creditors and Accrued Charges | 337,961 | 165,435 |
| Related Party Loan Payable to CLP | 74,632 | - |
| GST Payable | - | 162,940 |
| Sundry Creditors and Accrued Charges | 412,593 | 328,375 |

NOTE 13 LOANS

Loan Receivable

Related Party Loans Receivable

| | 2021 \$ | 2020 \$ |
|---|------------------|------------------|
| Riskpool | 2,408,002 | 2,074,371 |
| Civic Liability Pool | - | 513,983 |
| Total Related Party Loans Receivable | 2,408,002 | 2,588,354 |

Secured loan agreements between the Company and Local Government Mutual Funds Trustee Limited on behalf of Riskpool were entered into in February 2017, August 2017 and again in November 2018 to assist with Riskpool's cashflow. The amounts made available under the 2017 agreements were reduced in 2018 to provide facilities of \$2,250,000 each (2017: \$3,000,000) and under the terms of the loans the interest rate is set as BKBM plus a margin. The November 2018 agreement provides a loan facility of \$4,000,000. Under the terms of the loan agreement the interest rate is set at the ANZ Bank lending rate plus a margin. Riskpool may repay the loans and any interest at any time without penalty. The Company may require repayment of the loans (including all interest) in full or in part at any time with six months' notice. Either party may terminate the agreements on six months' notice or any other such period that both parties agree to. On termination, the loan outstanding and any interest due to the date of repayment must be paid within the period of notice. The loan outstanding at 31 December 2021 is \$2,408,002 (2020: \$2,074,371). Interest received by the Company relating to the loans for the year to 31 December 2021 was \$65,334 (2020: \$50,965).

The Company and Local Government Mutual Funds Trustee Limited on behalf of CLP have an agreement whereby the Company funds any claims payable for CLP under the Trust Deed, without charge to the Trust, which will be reimbursed by CLP in respect of any such claim payments when CLP receives the applicable reinsurance payments on the claims. The loan outstanding at 31 December 2021 is \$nil (2020: \$513,983). There is a related parties loan payable to CLP at 31 December 2021 of \$74,632 (refer Note 12) .

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 14 AUDIT FEES

A breakdown of the fees paid to the auditors is below:

| | 2021 \$ | 2020 \$ |
|---|----------------|----------------|
| Statutory Audit of the Financial Statements | | |
| Civic Financial Services | 41,580 | 49,566 |
| Civic Liability Pool | 17,640 | 17,640 |
| Local Government Superannuation Trustee | 44,476 | 60,433 |
| Total Statutory Audit of the Financial Statements | 103,697 | 127,639 |
| Other Fees Paid to Auditors for Assurance Services | 30,368 | 26,784 |
| Other Fees Paid to Auditors for Tax Compliance | - | 37,388 |
| Total Fees Paid to the Auditors | 134,065 | 191,811 |

NOTE 15 SHAREHOLDERS' EQUITY

The Share Capital of the Group comprises solely authorised and issued ordinary shares with each share ranking equally in votes, dividends and surpluses. In 2020 there were no shares issued. There were no shares issued during 2021.

| | 2021 \$ | 2020 \$ |
|---|-------------------|-------------------|
| Retained Earnings | | |
| Opening Balance | 58,366 | (286,457) |
| Net Surplus After Taxation | 360,528 | 344,823 |
| Dividend Payment | - | - |
| Closing balance | 418,894 | 58,366 |
| Shareholders Capital | | |
| Opening Balance | 10,763,506 | 10,763,506 |
| Ordinary Shares issued during the year | - | - |
| Closing balance | 10,763,506 | 10,763,506 |
| Number of Ordinary Shares Fully Paid | 11,249,364 | 11,249,364 |
| Par Value per Share | \$0.99 | \$0.96 |
| Dividend Payment per Share | \$0.00 | \$0.00 |

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 16 EQUITY RETAINED FOR FINANCIAL SOUNDNESS

All shareholder equity is retained to ensure the financial soundness of the Group with cash being retained for cash flow purposes.

NOTE 17 RELATED PARTIES

The Company provided administration services to related parties during the year to NZ Local Authority Protection Programme (LAPP), NZ Mutual Liability Riskpool (Riskpool), Local Government Superannuation Trustee (Trustee of the Local Government Superannuation Scheme (LGSS) and SuperEasy KiwiSaver Superannuation Scheme (SKSS)) and Civic Property Pool (CPP). There were no related party transactions with CPP in either of the last two years.

The income derived from the administration services as well as year end accounts receivable are detailed in the table below. Refer to Note 12 and Note 13 for the terms and information relating to loans with related parties.

Administration Fees

| | 2021 \$ | 2020 \$ |
|---|------------------|------------------|
| LGSS & SKSS | 2,606,612 | 2,484,661 |
| LAPP | 304,000 | 295,667 |
| Riskpool | 170,730 | 173,856 |
| Civic Liability Pool | 19,256 | 19,256 |
| Administration Fees from Related Parties | 3,100,598 | 2,973,440 |

Accounts Receivable

| | 2021 \$ | 2020 \$ |
|---|----------------|----------------|
| LGSS & SKSS | 537,516 | 484,587 |
| LAPP | 378 | - |
| Accounts Receivable from Related Parties | 537,894 | 484,587 |

Civic Financial Services Limited

NOTES TO THE CONSOLIDATED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 DECEMBER 2021

NOTE 18 SUBSEQUENT EVENTS

There have been no material events subsequent to 31 December 2021 that require adjustment to or disclosure in the financial statements.

NOTE 19 CAPITAL COMMITMENTS

The Company has no capital commitments at balance date (2020: \$nil).

NOTE 20 GOING CONCERN

The financial statements have been prepared on a going concern basis.

The profitability of financial services supports the going concern assumption for Civic Financial Services Ltd as a whole. The deferred tax asset is reviewed regularly and at balance date against forecast profits and future business opportunities. The Directors believe that it is probable that sufficient taxable profits will be available in the future against which the unused tax losses can be utilised.



INDEPENDENT AUDITOR'S REPORT

TO THE READERS OF CIVIC FINANCIAL SERVICES LIMITED'S FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2021

The Auditor-General is the auditor of Civic Financial Services Limited and its subsidiaries (the 'Group'). The Auditor-General has appointed me, Hamish Anton, using the staff and resources of Deloitte Limited, to carry out the audit of the consolidated financial statements of the Group on his behalf.

OPINION

We have audited the consolidated financial statements of the Group on pages 7 to 29, that comprise the consolidated statement of financial position as at 31 December 2021, the consolidated statement of comprehensive income, statement of changes in equity and statement of cash flows for the year ended on that date and the notes to the consolidated financial statements that include accounting policies and other explanatory information.

In our opinion, the consolidated financial statements of the Group:

- present fairly, in all material respects:
 - its financial position as at 31 December 2021; and
 - its financial performance and cash flows for the year then ended; and
- comply with generally accepted accounting practice in New Zealand in accordance with Public Sector Public Benefit Entity Standards Reduced Disclosure Regime (PBE Standards RDR).

Our audit was completed on 11 March 2022. This is the date at which our opinion is expressed.

The basis for our opinion is explained below. In addition, we outline the responsibilities of the Board of Directors and our responsibilities relating to the consolidated financial statements, we comment on other information and we explain our independence.

BASIS FOR OUR OPINION

We carried out our audit in accordance with the Auditor-General's Auditing Standards, which incorporate the Professional and Ethical Standards and the International Standards on Auditing (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board. Our responsibilities under those standards are further described in the Responsibilities of the auditor section of our report.

We have fulfilled our responsibilities in accordance with the Auditor-General's Auditing Standards.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

RESPONSIBILITIES OF THE BOARD OF DIRECTORS FOR THE CONSOLIDATED FINANCIAL STATEMENTS

The Board of Directors is responsible on behalf of the Group for preparing consolidated financial statements that are fairly presented and that comply with generally accepted accounting practice in New Zealand. The Board of Directors is responsible for such internal control as it determines is necessary to enable it to prepare financial statements that are free from material misstatement, whether due to fraud or error.



INDEPENDENT AUDITOR'S REPORT *CONTINUED*

In preparing the consolidated financial statements, the Board of Directors is responsible, on behalf of the Group, for assessing the Group's ability to continue as a going concern. The Board of Directors is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the Board of Directors intends to liquidate the Group or to cease operations, or has no realistic alternative but to do so.

The Board of Directors' responsibilities arise from the Companies Act.

RESPONSIBILITIES OF THE AUDITOR FOR THE AUDIT OF THE CONSOLIDATED FINANCIAL STATEMENTS

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements, as a whole, are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit carried out in accordance with the Auditor-General's Auditing Standards will always detect a material misstatement when it exists. Misstatements are differences or omissions of amounts or disclosures, and can arise from fraud or error. Misstatements are considered material if, individually or in the aggregate, they could reasonably be expected to influence the decisions of readers taken on the basis of these consolidated financial statements.

We did not evaluate the security and controls over the electronic publication of the consolidated financial statements.

As part of an audit in accordance with the Auditor-General's Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. Also:

- We identify and assess the risk of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- We obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Group's internal control.
- We evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Board of Directors.
- We conclude on the appropriateness of the use of the going concern basis of accounting by the Board of Directors and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Group's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements, or if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Group to cease to continue as a going concern.
- We evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the Board of Directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Our responsibilities arise from the Public Audit Act 2001.

Deloitte.

INDEPENDENT AUDITOR'S REPORT *CONTINUED*

INDEPENDENCE

We are independent of the Group in accordance with the independence requirements of the Auditor-General's Auditing Standards, which incorporate the independence requirements of Professional and Ethical Standard 1: *International Code of Ethics for Assurance Practitioners* issued by the New Zealand Auditing and Assurance Standards Board.

Other than in our capacity as the auditor, we have no relationship with, or interests in, the Group.



Hamish Anton
Deloitte Limited
On behalf of the Auditor-General
Wellington, New Zealand

CIVIC FINANCIAL SERVICES SHAREHOLDERS AS AT 31 DECEMBER 2021

| SHAREHOLDER MEMBER | NO. OF SHARES | | SHAREHOLDER MEMBER | NO. OF SHARES | |
|--------------------------|---------------|--------|--|---------------|-------|
| CITY COUNCILS | | | DISTRICT COUNCILS (Cont'd) | | |
| Auckland | 2,195,042 | 19.51% | Rangitikei | 35,338 | 0.31% |
| Christchurch | 1,417,704 | 12.60% | Rotorua | 175,906 | 1.56% |
| Dunedin | 470,966 | 4.19% | Ruapehu | 56,666 | 0.50% |
| Hamilton | 202,729 | 1.80% | South Taranaki | 135,496 | 1.20% |
| Hutt | 479,822 | 4.27% | South Waikato | 42,374 | 0.38% |
| Invercargill | 407,927 | 3.63% | South Wairarapa | 53,930 | 0.48% |
| Napier | 283,842 | 2.52% | Southland | 13,715 | 0.12% |
| Nelson | 95,543 | 0.85% | Stratford | 65,608 | 0.58% |
| Palmerston North | 411,737 | 3.66% | Taranua | 99,972 | 0.89% |
| Porirua | 140,146 | 1.25% | Tasman | 65,584 | 0.58% |
| Tauranga | 124,242 | 1.10% | Taupo | 83,971 | 0.75% |
| Upper Hutt | 51,209 | 0.46% | Thames-Coromandel | 27,120 | 0.24% |
| Wellington | 526,821 | 4.68% | Timaru | 230,118 | 2.05% |
| DISTRICT COUNCILS | | | Waikato | 41,070 | 0.37% |
| Ashburton | 56,016 | 0.50% | Waimakariri | 88,172 | 0.78% |
| Buller | 27,698 | 0.25% | Waimate | 30,458 | 0.27% |
| Carterton | 23,642 | 0.21% | Waipa | 149,082 | 1.33% |
| Central Hawke's Bay | 28,580 | 0.25% | Wairoa | 22,992 | 0.20% |
| Central Otago | 91,238 | 0.81% | Waitaki | 120,000 | 1.07% |
| Clutha | 33,711 | 0.30% | Waitomo | 16,940 | 0.15% |
| Far North | 85,440 | 0.76% | Western Bay of Plenty | 28,142 | 0.25% |
| Gisborne | 99,404 | 0.88% | Westland | 28,356 | 0.25% |
| Gore | 54,589 | 0.49% | Whakatane | 38,788 | 0.34% |
| Grey | 33,742 | 0.30% | Whanganui | 289,660 | 2.57% |
| Hastings | 129,170 | 1.15% | Whangarei | 63,524 | 0.56% |
| Hauraki | 63,434 | 0.56% | REGIONAL COUNCILS | | |
| Horowhenua | 110,689 | 0.98% | Bay of Plenty | 55,000 | 0.49% |
| Hurunui | 14,000 | 0.12% | Canterbury | 152,696 | 1.36% |
| Kaikoura | 10,000 | 0.09% | Hawke's Bay | 20,000 | 0.18% |
| Kaipara | 13,629 | 0.12% | Horizons | 2,000 | 0.02% |
| Kapiti Coast | 15,060 | 0.13% | Southland | 10,000 | 0.09% |
| Kawerau | 31,161 | 0.28% | Taranaki | 1,000 | 0.01% |
| Manawatu | 203,964 | 1.81% | Waikato | 22,000 | 0.20% |
| Marlborough | 86,022 | 0.76% | Wellington | 80,127 | 0.71% |
| Masterton | 127,230 | 1.13% | OTHER | | |
| Matamata-Piako | 122,554 | 1.09% | TrustPower | 137,251 | 1.22% |
| New Plymouth | 441,456 | 3.92% | Total Shares 11,249,364 | | |
| Opotiki | 20,000 | 0.18% | | | |
| Otorohanga | 5,000 | 0.04% | | | |
| Queenstown-Lakes | 31,149 | 0.28% | | | |

Electra Trust 2022 Trustee Elections

File No.: 22/264

1. Purpose

The purpose of this report, is for Council to decide the two candidates that Horowhenua District Council will vote for in the upcoming the Electra Trust Election 2022.

2. Recommendation

- 2.1 That Report 22/264 Electra Trust 2022 Trustee Elections be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Horowhenua District Council proceeds/does not proceed with exercising its voting rights for the Electra Trust 2019 Trustee Elections.
- 2.4 That the Horowhenua District Council votes for and andin the 2022 Electra Trust elections.

3. Background/Previous Council Decisions

Each Electra account holder is an elector for the purpose of the Electra Trustee election. Council is the holder of 145 accounts, and is now in receipt of the same number of voting papers, which it may choose to cast for the 2022 Trustee election.

Voting closes at 12 noon on Friday 10 June 2022.

4. Issues for Consideration

Council needs to determine whether it will or will not proceed with exercising its voting rights for the Electra Trust 2022 Trustee elections. Over the past few years Council has exercised its voting rights.

Should Council decide to proceed to exercise its voting rights for the Electra Trust 2022 Trustee elections, candidates for election are:

- Tori COLLIER
- Sharon CROSBIE
- Brendan DUFFY
- Stephen GREGAN
- Athol KIRK
- Russell LONGUET
- Tim SUTTON

The candidate profiles are attached to this report.

The Electra Trust owns Electra. Trustees are elected to the Trust to represent everyone connected to the Electra network. They are elected for a three year term and by rotation three positions are subject to election every two years.

The candidates above have offered themselves for this year's Trustee election.

The method of casting Council's vote involves an open voting process whereby each member casts up to three votes, with the three highest polling candidates receiving the full number of the Council voting allocation.

Attachments


| No. | Title | Page |
|-----|---|------|
| A↓ | Electra 2022 Trustee election candidate profiles - May 2022 | 73 |


Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-----------|---|--|
| Author(s) | Ashley Huria Business Performance Manager |  |
|-----------|---|--|

| | | |
|-------------|---|---|
| Approved by | Jacinta Straker Chief Financial Officer |  |
|-------------|---|---|



2022 TRUSTEE ELECTIONS CANDIDATE PROFILES

Election of THREE (3) Trustees

Disclaimer: The Returning Officer for Electra Trust accepts no responsibility for the content or accuracy contained in the statements as supplied by the candidates.

Tori COLLIER

Kia ora koutou. I am a beneficiary of the Electra Trust, and have been nominated as a candidate for the upcoming trustee elections.

Personal Statement

I enlisted into the Royal New Zealand Airforce in 1967. I was employed in Accounting and Finance to Senior Management level. The bulk of my service was at Whenuapai Airbase Auckland. Spent two years in Singapore 1971 - 1973, and spent my last two years at Air Staff, Defence Headquarters, Wellington, retiring in 1982.

Relocated to Wellsford to go dairy farming for the next 30 years, retiring to Paraparaumu in 2012 to be closer to family.

Education/Public Duties

- 1981 Associate of the New Zealand Institute of Management
- 1983-1988 Chairman of Taporā School Committee
- 1988-1991 Trustee of the Rodney College Board
- 2001-2012 Chairman of the Minniesdale Chapel and Cemetery Trust
- 2016-2018 Trustee of the Hora Te Pai Health Services Trust

Summary

I am aware of the Trust Deed and the duties of Trustees of the Electra Trust, and will endeavour to get the best outcomes for the beneficiaries.

He pooti mo au, He korero mo koe.

A vote for me, is a voice for you.



Brendan DUFFY

ONZM, JP

My position as chair of Mid Central DHB concludes in June, this will leave me with capacity to engage in a governance role on the Electra Trust. I have a record of proven performance on the Trust in a previous term and am seeking your support to re-elect me. The Trust has an important responsibility in holding the Electra Company to account and to ensure maximum dividends are returned to our Kapiti/Horowhenua community. As trustees we must appoint the directors to the company, this is a significant task that I take very seriously. I am a former Mayor of Horowhenua, however I hold a strong regional focus. Currently I am chair of Business Kapiti Horowhenua motivating business across the whole district to grow and employ our people. Our districts are interconnected, and it is important to have this perspective as a trustee on the Electra Trust. I have the time, energy and knowledge of our joint districts and the experience. I seek your support.



Stephen GREGAN

CA

Living in Paraparaumu Beach, I am qualified Chartered Accountant with over 25 years of senior corporate management experience in the electricity sector. I am currently working as the GM Revenue & Assurance for Arthur D Riley & Company Ltd. 8 years of my experience was working for Electra as the COO and the Deputy Chief Executive where I played the lead role in the sale of non-core subsidiaries' including Oxford Finance.

Electra has a significant role in the Kapiti and Horowhenua regions ensuring safe and reliable energy delivery to us as consumers. Investment in the core network business and being prepared for the impact of new and emerging technologies is crucial to protect the long-term value of Electra. I am committed to this direction for Electra.

I fully support the ongoing local ownership of Electra and I am passionate about supporting business in the region.

Outside of work I am on the board of Business Kapiti Horowhenua and enjoy cycling with the local cycling clubs.



Sharon CROSBIE

CNZM, OBE

Our electricity costs are rising and energy technology is changing, making greater demands on Electra, our lines and distribution company. Right now it faces the challenges of decarbonisation, sustainability and increased usage as our region grows. We too, are all faced with having to reduce our use of fossil fuels in the years ahead.

The good news is that we own the company and benefit from an annual discount and one of the best performing lines companies in the country. It is a privilege to have chaired the Trust and I seek re-election to continue to safeguard your interests in the face of so much change. As a former CEO I have a strong background in governance, community activity and business.



PLEASE TURN OVER >>

Athol KIRK

Much of my life has been spent working within the electrical supply industry, NZED (New Zealand Electricity Department), MEPB (Marlborough Electric Power Board), Wellington City, starting with the MED (Municipal Electricity Department) and finishing with Siemens Energy Services. Roles performed within organisations included construction maintenance of networks (both urban and rural), safety planning, fault remediation, staff relations (union delegate), network operations and network planning

Since then I've studied for and gained a Bachelor of Health Science major Environmental Risk Management, worked for DCC (Dunedin City Council) TCDC (Thames Coromandel City Council) and MPI (Ministry for Primary Industry). These roles included food safety, public hygiene (yes some of the job stinks), noise control, port company liason and RMA (resource management act) monitoring.

My family, 3 generations, are resident in Levin and loving the west coast vibe. The Levin Lions club is among my strong and positive connections to the community.

The customers, who are ultimately the owners, of Electra expect and have a right to the best possible energy supply service, no matter who they are buying their electricity from. If I am elected as a trustee my role is to ensure that the rights of those customers are protected.



Tim SUTTON

**B Mus Hons (University of Otago);
M A (University of Exeter)**

I am excited by the possibility of representing you as a Trustee.

With more than 30 years of leadership and management experience in New Zealand and overseas, I know I will bring a fresh perspective to ensuring that Electra continues to be a well-run company, that continues to provide an annual discount to us, Electra's users.

I believe that being a well-run company also means more than being able to provide an annual discount. I would like to help Electra do more to ensure that we continue to build and maintain a more resilient and responsive lines network in Kapiti and Horowhenua as the challenge of Climate Change and related extreme weather events increases for us all. The accelerating electrification of our transport fleet will also bring further challenges and opportunities for which Electra must be well prepared.

As a Trustee I would also pay particular attention to supporting the Directors and Management of Electra to build an organisational culture that is respectful, empowering, open and supportive of the diverse workforce, who work so hard to keep the lights on for all of us.



Russell LONGUET

BE (Electrical)

My background is in electrical engineering, investment banking and energy consulting.

I was on the Electra Board for 10 years until 2018 during which time the consumer discount increased year on year.

As a Trustee representing consumers I will work with the other Trustees and Electra's Directors to ensure that a beneficial consumer discount continues to be delivered, that the core business is the best it can be and that any subsidiary investments are successful.

I have been a director of a number of energy related companies as well as on energy and transmission advisory groups to Government. I was also an Authority member of the Energy Efficiency and Conservation Authority (EECA).

I live in the Otaki Gorge and my family have been in the Kapiti area since the 1920's.



Review of Local Election Signage Policy 2022

File No.: 22/236

1. Purpose

The purpose of this report is to consider requirements for electoral signage for the purpose of the 2022 local elections, and any ensuing by-election.

2. Recommendation

- 2.1 That Report 22/236 Review of Local Election Signage Policy 2022 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Council adopts the “Local Election Signage Policy” dated 16 May 2022.
- 2.4 That the Council notes that following the 2022 election, a further review of the policy will take place to explore options around an enforcement mechanism for the use and display of Election Signage on Private Property.

3. Background/Previous Council Decisions

Preceding each local election, staff review Council’s policy surrounding the placement of electioneering signs on Council and private land. The Policy provides for the regulation and administration of signage associated with elections.

Staff have taken the opportunity to review the Policy, the continued suitability of the three locations approved for signage, and the general content of the Policy.

A copy of the Policy to cover the period of the 2022 Local Election, and any by-election in the lead up to the 2025 election, is attached.

The substantial change from the previous policy is the removal of private property election signage. The Policy attached only covers Council Owned Land and has minor changes to improve clarity on this section.

4. Issues for Consideration

This Policy is substantially the same as the 2019 Policy with the exception of the removal of the private property signage regulations and the inclusion of signage on Council Owned Land at Darwick Reserve, Foxton Beach.

During the 2019 Election it was noted that there was no legal way to enforce or regulate the Local Election Signage Policy on private land due to the lack of a bylaw and the exclusion of Electoral Signage in the District Plan giving no legal status.

Noting this, the private property signage has been removed from the policy.

The inclusion of signage at Council owned Darwick Reserve, Foxton Beach allows for increased signage for candidates across the district. This location is deemed a suitable location away from intersections and within a 50km area.

The remaining content of the Policy is considered to be relevant and appropriate. It is appropriate that separate regulations are retained for signage on public and Council owned land.

By way of clarification, electoral signs on public land other than the three areas stated in the Policy are not permitted and will be removed, with all costs charged to the owner of the sign.

Mobile signs on registered vehicles/trailers will be permitted whilst a vehicle is in use on a road and subject to compliance with traffic and safety laws. Any signs on state highways will require the prior approval of the Waka Kotahi.

Complaints received by Council regarding electoral signage will be referred to Council's Regulatory Compliance team who, in consultation with Council's Electoral Officer, or Deputy, will conduct investigations and enforcement as necessary.

Concluding the 2022 Local Elections, officers will investigate options around an enforcement mechanism for the use and display of Election Signage on Private Property and bring a revised policy back to Council which incorporates any key enforcement criteria and requirements.

Attachments


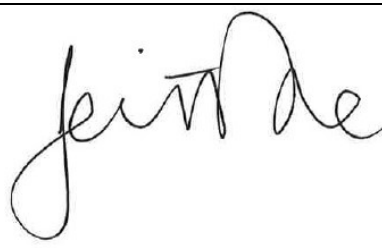

| No. | Title | Page |
|-----|--|------|
| A1 | Local Election Signage Policy - 2022 DRAFT | 77 |

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|---|---|
| Author(s) | Ashley Huria Business Performance Manager |  |
| Approved by | Jacinta Straker Chief Financial Officer |  |
| | Monique Davidson Chief Executive Officer |  |

Local Election Signage Policy - 2022

Authorised Council Owned Land

- a. The Horowhenua District Council will allow electoral signage on Council owned land at specified locations in Levin, Foxton, Foxton Beach and Shannon only. Such signs will be subject to the following limits:
- Approved sites are shown on the attached maps.
 - No sign shall be located where it is considered to be a traffic hazard in the opinion of the Council (Council Officer, Electoral Officer or Council contractor).
 - Signs may be permitted to be displayed up to two (2) months prior to the Election Day but must be removed within two (2) working days after Election Day.
 - Signs shall be displayed, if practicable, at right angles to the road.
 - Signs shall comply with the following specifications:

| | Conditions |
|---|---------------------|
| Maximum number of words | 11 words or symbols |
| Maximum number of characters | 90 |
| Minimum lettering height | 120 mm |
| Maximum face area (may be double sided) | 3.0 m ² |
| Maximum sign height | 4.0 m |

- b. All signs must include an authorisation in accordance with the Local Electoral Act 2001.
- c. Each candidate will be permitted to erect one (1) sign per location.
- d. Council reserves the right to require the immediate removal or relocation of any electoral sign if the signs placement is considered hazardous or inappropriate; or if the content is inappropriate or breaches any policy, bylaw or enactment.
- e. Candidates are entirely responsible to ensure signs are installed and fixed in such a manner that they are not blown down or torn from supporting structures. Where signage is exposed to damage whether from natural events or vandalism, candidates are responsible for the repair and/or removal as necessary.
- f. Council may on giving of three (3) days' notice to the candidates concerned, remove any damaged signage and charge costs of removal back to the candidates. Where it is considered that damaged/loose signage has public risk, Council may remove the signage and charge back the costs of such removal immediately.
- g. In addition the following provisions shall apply:
- No signs will be permitted on Council roads or on unapproved Council owned land.
 - Where signs are found on Council property in unauthorised locations or in breach of any conditions officers shall:

- o advise the electoral officer; and,
 - o maintain/update a register of such signs; and,
 - o take immediate action to remove the signs; and,
 - o contact the candidate for that person to collect their sign(s).
- In any and all circumstances above, Council may charge back to the candidate the reasonable costs of notification/removal.
 - Signs must be removed as soon as practicable after Election Day and certainly within two (2) business days. Signs not removed within this timeframe may be removed by, and disposed of, by Council without further liability. Where it is necessary to take this action costs will be charged back to the candidates concerned.
 - Mobile signs on vehicles¹ (including trailers) will be permitted whilst the vehicle is in use on a road, and subject to those vehicles complying with all other vehicular requirements. Mobile signs on stationary vehicles (including trailers) are not permitted.
 - The Council shall be entitled to recover reasonable costs (at the discretion of a compliance officer or electoral officer) in the application of the Policy.
- h. Candidates are advised to consult with Waka Kotahi with regard to erecting any signs adjacent or within the corridor of a State Highway.
- i. Sign locations:

| Area | Location | Permitted Area | Notes |
|------------------------------------|-------------------------|---|---|
| Foxton Electoral Sign Area | Seaview Gardens | Adjacent to the perimeter facing Union Street, outside the fence on road reserve, as depicted in Map 01 - 2022 Local Elections Signage. | No signs are to be attached to the fence or placed behind the fence. No signs are to obstruct the footpath or entrances to Seaview Gardens. |
| Shannon Electoral Sign Area | Shannon Domain | The western end of Shannon Domain in Vogel Street in a northerly direction to the boundary with the Mavis Vincent Pavilion (a distance of approximately 50 metres) as depicted on Map 02 - 2022 Local Elections Signage. <u>SIGNS ARE NOT PERMITTED WITHIN THE EXCLUSION ZONES SHOWN ON THE MAP</u> | No signs are permitted within 10 metres of the boundary with the intersection of Vogel and Ballance Streets or within 5 metres of the kerbline in Vogel Street. |
| Levin Electoral Sign Area | The Levin Village Green | Facing Salisbury Street, Queen Street as depicted on Map 03 - 2022 Local Election Signage. <u>SIGNS ARE NOT PERMITTED WITHIN THE EXCLUSION ZONES SHOWN ON THE MAP</u> | No signs are permitted within 10 metres of the boundary with the intersection of Salisbury Street and Queen Street West or within 3 metres of paved areas. |

¹ Mobile signs on vehicles does not include vehicle sign writing.



| | | | |
|---|------------------------|--|--|
| <p><i>Foxton Beach Sign Area</i></p> | <p>Darwick Reserve</p> | <p>Facing Seabury Avenue as depicted on Map 03 – 2022 Local Election Signage.</p> <p><u>SIGNS ARE NOT PERMITTED WITHIN THE EXCLUSION ZONES SHOWN ON THE MAP</u></p> | <p>No signs are permitted within 10 metres of the boundary with the intersection of Seabury Avenue and Darwick Street or within 5 metres of kerblines.</p> |
|---|------------------------|--|--|

This schedule must be read in conjunction with the maps attached to this Policy.

Dated – May 2022

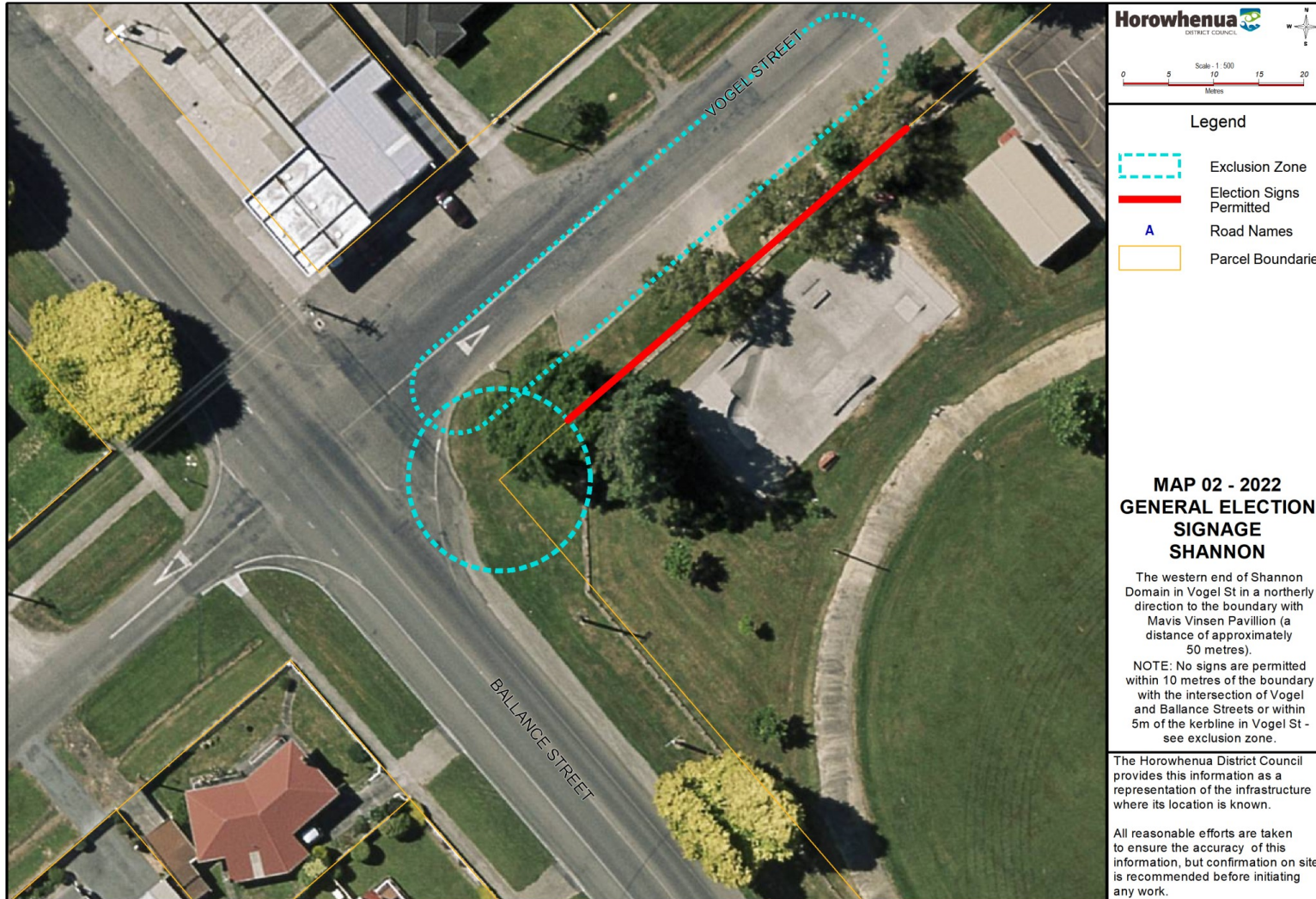
DRAFT



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REFERENCE: Electoral_Signage.gws

DATED : 18 MAY 2022



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REFERENCE: Electoral_Signage.gws

DATED : 18 MAY 2022

**MAP 02 - 2022
GENERAL ELECTION
SIGNAGE
SHANNON**

The western end of Shannon Domain in Vogel St in a northerly direction to the boundary with Mavis Vinsen Pavillion (a distance of approximately 50 metres).

NOTE: No signs are permitted within 10 metres of the boundary with the intersection of Vogel and Ballance Streets or within 5m of the kerbline in Vogel St - see exclusion zone.

The Horowhenua District Council provides this information as a representation of the infrastructure where its location is known.

All reasonable efforts are taken to ensure the accuracy of this information, but confirmation on site is recommended before initiating any work.



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DATED : 18 MAY 2022



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REFERENCE: Electoral_Signage.gws

DATED : 18 MAY 2022

Review of Smokefree and Vapefree Environment Policy

File No.: 22/240

1. Purpose

The purpose of this report is for Council to consider the adoption of the reviewed Smokefree and Vapefree Environment Policy.

2. Recommendation

- 2.1 That Report 22/240 Review of Smokefree and Vapefree Environment Policy be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Council adopt the Smokefree and Vapefree Environment Policy.

3. Background/Previous Council Decisions

Council currently has a Smokefree Environment Policy adopted in January 2017. The intent of the Policy was to articulate Council's duty of care to ensure a safe environment for people on its premises. It recognised that exposure to second-hand smoke is a significant health risk and had adopted a "Smokefree" Policy in accordance with the provisions of the Smokefree Environments Act 1990 (the Act) and the Smokefree Environments Act 2003.

There was a focus to educate the public and send a positive message to our community that our people's health and the environment should be protected from the effects of smoking.

In 2011 the government set a goal for New Zealand to be smokefree by 2025 (with fewer than 5% of New Zealanders will be smokers). Since then, smoking rates have continued to decline; however, much work still needs to be done, particularly to reduce smoking rate amongst Maori and Pacific peoples and those living in our most disadvantaged communities.

The Smokefree Environments Act 1990 was amended to the Smokefree and Regulated Products Act 1990 in late 2020. The amendment to this Act included Vaping in the prohibited smoking legislation alongside Tobacco.

Legislative Changes

Since this policy was adopted, the Smoke-Free Environment Act 1990 was amended to the Smokefree Environments and Regulated Products Act 1990 (commenced on the 11 November 2020). This amendment included vaping to public areas deemed to be 'Smokefree'.

More recently the government has incorporated a harm-reduction objective, with the passage of the Smokefree Environments and Regulated Products (Vaping) Amendment Bill in November 2020. The programme includes:

- Prohibition on sales to those aged under 18 years.
- Tobacco excise tax
- Legislated smokefree and vapefree areas (indoor workspaces, early childhood centres and schools)
- Outside smokefree and vapefree areas (decided by Local Authorities)
- A prohibition on advertising, sponsorship, and promotion (including display tobacco products)

- Help for smokers to quit (stop-smoking medicines, nicotine replacement therapy and behavioural support)
- Standardised packaging, including graphic warnings on cigarette packs.

The provisions of this Act were being phased in over a 15-month period.

4. Issues for Consideration

The current Smokefree Policy was adopted in January 2017 and is due for review. This Policy was also referenced in Long Term Plan 2021-41 submissions, where Council requested a review of the Smokefree Environment Policy in the 2021/2022 financial year.

Council is required under the Act to prohibit smoking, including vaping in the workplace. This includes libraries and pools by definition (in enclosed spaces and courtyards).

The purposes of the Smokefree Environments and Regulated Products Act 1990 are:

- to prevent the detrimental effect of other people's smoking on the health of people in workplaces, or in certain public enclosed areas, who do not smoke or do not wish to smoke there; and
- to prevent the normalisation of vaping; and
- to prevent young people who are being taught or cared for in registered schools or early childhood education and care centres from being influenced by seeing other people smoke or vape there; and
- to prevent the detrimental effect of other people's smoking on the health of young people who are being taught or cared for in registered schools or early childhood education and care centres.

The changes being recommended to the Smokefree and Vapefree Environment Policy include:

- Updated references and requirements of the Smokefree Environments and Regulated Products Act 1990
- Clarification around the Policy objectives and application of the Policy.
- Inclusion of vaping throughout the Policy.

While the intent of the Policy is to educate the community, Council is unable to enforce the Policy. The only way in which Council can enforce smokefree and vapefree areas is through establishment of a Bylaw.

The recommendation is to adopt the Smokefree and Vapefree Environment Policy as drafted. This will ensure that the current Policy is brought up to date with the relevant changes to the Act, which now includes vaping.

Risk Assessment

The changes recommended are minor in nature, with no material changes to the current policy. Therefore, there is minimal risk to approve the amendments to the Smokefree and Vapefree Environment Policy.

The Smokefree and Vapefree Policy supports our Community Outcome of Strong Communities and Outstanding Environment, also the four wellbeing's of local government with a strong focus on environmental, cultural, and social factors.

5. Next Steps

If the recommended option is approved, we will ensure it is updated internally and on our website.

Officers will continue to promote smoke and vape free signage to ensure parks and open spaces are smokefree and vapefree.

Attachments




| No. | Title | Page |
|-------------------|--|------|
| A | DRAFT Smokefree and Vapefree Environment Policy - May 2022 | 88 |

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|---|---|
| Author(s) | Ashley Huria Business Performance Manager |  |
| Approved by | Jacinta Straker Chief Financial Officer |  |
| | Monique Davidson Chief Executive Officer |  |



Smokefree and Vapefree Environment Policy

May 2022



Introduction

The purpose of the Smokefree and Vapefree Environment Policy is to support Horowhenua District Council's commitment to promote positive health outcomes for our community.

Council recognises that exposure to second-hand tobacco and vaping smoke is a significant health risk and has adopted a "Smokefree and Vapefree" Policy in accordance with the provisions of the Smoke Free Environments and Regulated Products Act 1990 (the Act) and the Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020. The Government has committed to a goal of less than 5% smoking nationwide by 2025. By focusing on public outdoor areas and supported events, Horowhenua District Council will be proactive and demonstrate leadership by promoting a Smokefree and Vapefree environment as being both desirable and the norm in Horowhenua.

Policy Objectives

The Council, in collaboration with partner organisations, will work towards achieving the following objectives:

- Improve the health and wellbeing of Horowhenua's communities by reducing the prevalence of smoking and vaping and de-normalising smoking behaviour.
- Fewer people smoke and vape in public places.
- Businesses and other organisations designate their premises "Smokefree and Vapefree".
- The prevalence of smoking and vaping in Horowhenua continues to decrease over time.

Application

The Policy intends to educate the public and send a positive message to the Horowhenua community that our people's health and the environment should be protected from the effects of smoking and vaping.

The public will be encouraged through appropriate signage and publicity to maintain a clean, healthy environment in areas deemed smokefree and vapefree.

Policy Guidelines

Smokefree Environments

In order to prevent the detrimental effects of smoking and vaping on the health of any person who does not smoke or vape, or who does not wish to be exposed to second-hand smoke; this Policy outlines that:

The following Council-administered areas in Horowhenua District are designated smokefree and vapefree:

- **All outdoor facilities** including all stadiums, sports grounds, outdoor swimming pools and any other outdoor facilities.
- **All health centres** including all associated public outdoor areas.
- **All playgrounds and skate-parks**, including those not located within a park or reserve.
- **All sports fields** including associated spectator areas.
- **All parks, reserves and cemeteries** including all local and regional parks.
- The public outdoor areas associated with Horowhenua District Council **service centres, libraries, community facilities, museums, leisure centres and recreation centres**.
- **All transport areas** including bus stations, taxi ranks and train stations.

Under the Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020, the following places will also be smokefree and vapefree:

- **All early childhood centres, primary, and secondary schools** including all associated public outdoor areas and the footpath directly in front of the property boundary.

Council may, from time to time, by resolution specify any part or parts of the District as a smokefree or vapefree public place. This will be publically consulted before it takes effect.

All events run by Horowhenua District Council will be smokefree and vapefree, and any event supported or sponsored by Council will be encouraged to be smokefree and vapefree.

Education and Enforcement

The successful implementation and continued success of this Policy will require a collaborative approach to communication and education between Council and the wider community.

This Policy is educational and will be self-policing and supported by persuasion rather than punitive enforcement.

Council may take additional action in the case of a persistent issue.

Signage

Wherever practicable, the areas where smoking and vaping is prohibited will be signposted, to communicate smokefree and vapefree zones.

Council will engage with key smokefree and vapefree advocacy groups to promote a positive smokefree and vapefree message, and communicate the intent of the Policy through all media platforms to inform and educate the public.

Council will also engage with local food premises with outdoor dining about the benefits of having smokefree and vapefree outdoor areas. Practical support can be offered such as signage and posters to any willing businesses.

References

- Smoke-Free Environments and Regulated Products Act 1990 and Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020
- Health and Safety at Work Act 2015

Review Sun Protection Environment Policy

File No.: 22/244

1. Purpose

The matter for consideration by the Council is the adoption of the reviewed Sun Protection Environment Policy.

2. Recommendation

- 2.1 That Report 22/244 Review Sun Protection Environment Policy be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Council adopt the Sun Protection Environment Policy.

3. Background/Previous Council Decisions

Council currently has a Sun Protection Policy which was created in 2016, however it was never adopted. The intent of the policy is to contribute to a reduction in the incidence of skin cancer within the Horowhenua District by improving shade and other sun protection measures that are appropriate for the site, time of day and season throughout the District.

During the Long Term Plan 2021-41 Council requested a review of the Sun Protection Environment Policy in the 2021/2022 financial year.

4. Issues for Consideration

The intent of the Policy is to educate the community around Sun Protection behaviour, promote SunSmart messaging and increase the provision of shade at Council-owned outdoor facilities.

A review has been completed and minor changes have been made to the Policy.

The changes being recommended to the Sun Protection Environment Policy include:

- Increased clarification around the Policy objectives and guidelines.

There is no current legislative requirement to have a Sun Protection Environment Policy, however there are a few local authorities that have made the decision to have one.

The recommendation is to adopt the Sun Protection Environment Policy as drafted.

Risk Assessment

The changes recommended are minor in nature, the changes are to better reflect the Policy as an external document rather than an internal/external policy. Therefore, there is minimal risk to approve the amendments to the Sun Protection Environment Policy.

The Sun Protection Environment Policy supports our Community Outcomes of Strong Communities and Outstanding Environment, also the four wellbeing's of local government with a strong focus on environmental and social factors.

5. Next Steps

If the recommended option is approved, we will ensure the new version is updated internally and on our website.

Attachments


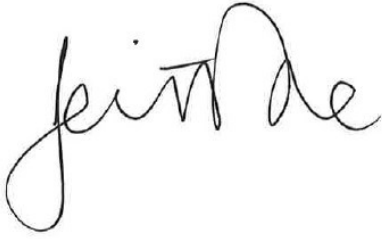

| No. | Title | Page |
|-----|--|------|
| A↓ | Sun Protection Environment Policy - May 2022 DRAFT | 95 |

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|---|---|
| Author(s) | Ashley Huria Business Performance Manager |  |
| Approved by | Jacinta Straker Chief Financial Officer |  |
| | Monique Davidson Chief Executive Officer |  |



Sun Protection Environment Policy

May 2022



Introduction

The purpose of the Sun Protection Environment Policy is to support Horowhenua District Council's commitment to promote positive health outcomes for our community.

The Council recognises that Local Government has an important role in minimising the risk harmful exposure to Ultra Violet Rays (UVR) that is experienced by residents, workers and visitors to the area.

The Horowhenua District Council will contribute to a reduction in the incidence of skin cancer within the Horowhenua by improving shade and other sun protection measures that are appropriate for the site, time of day and season throughout the district.

Policy Objectives

The Council, will work towards achieving the following objectives:

- Provide infrastructure and services to support good health and wellbeing; and safe and accessible recreational facilities.
- Increase the provision of appropriately placed shade at Council-owned parks, gardens, playgrounds, and sporting and recreation facilities.
- Encourage and promote the use of appropriate personal sun protection measures amongst the general public.
- Increase the knowledge of Council employees, community organisations and the public about effective sun protection practices.

Application

The Horowhenua District Council recognises it has a role in providing safe and healthy environments for the people of Horowhenua and a sun protection policy will enhance the social and environmental wellbeing of the district. The Council recognises its role in providing safe and healthy environments for the people of Horowhenua.

The Policy intends to educate the public and send a positive message to the Horowhenua community that when people are outdoors enjoying the many facilities that our district has to offer, exposure to the effects of ultraviolet radiation can be minimised through the provision of adequate shading and sun protection education.

Policy Guidelines

To assist the minimisation of excessive and harmful patterns of UVR exposure, Horowhenua District Council will take action to;

- Encourage contractors and employees to be role models for users of gardens, playgrounds, and sporting and recreation.
- Engage positively with stakeholders to identify those areas identified as high priority by the users of its facilities.

- Promote a SunSmart message at events either hosted or held at Council-owned facilities during the high ultraviolet radiation season.
- Undertake a shade audit prior to organising outdoor events and will provide sun-block, water, and relevant advice to attendees.
- Ensure opportunities to develop shade (natural or built) is considered in planning for new recreational facilities.
- Supply the community information on “Planning a SunSmart Event” online.

References

- Health and Safety at Work Act 2015
- Sunsmart.org.nz

LGNZ 2022 Conference Attendance

File No.: 22/245

1. Purpose

The purpose of this report is for Council to seek endorsement for Elected Members attendance at the 2022 Local Government New Zealand Conference.

2. Recommendation

- 2.1 That Report 22/245 LGNZ 2022 Conference Attendance be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Council endorses the attendance of Mayor Wanden, Deputy Mayor Mason, Cr Tukapua and Cr Kaye-Simmons at the Local Government New Zealand Conference to be held in Palmerston North from 20-22 July 2022.

3. Background/Previous Council Decisions

The 2022 Local Government New Zealand (LGNZ) Conference is being held in Palmerston North from 20-22 July. As Horowhenua District Council (HDC) is a member of Local Government New Zealand, it is entitled to representation at the LGNZ Conference.

On Wednesday 23 March 2022 Elected Members were informed of the LGNZ conference by email, and requested to register their interest for attendance. Three Elected Members registered their interest in addition to Mayor Wanden.

4. Issues for Consideration

Council is seeking endorsement for Elected Members to attend the 2022 LGNZ Conference. The LGNZ Conference Programme can be found using the attached link:

<https://www.lgnz2022.co.nz/programme>

As set out in Members Allowance & Recovery of Fund Policy, Council will fund the cost of attendance of the Mayor and up to four Elected Members, at the annual LGNZ Conference. The Policy requires Council to formally endorse the attendees prior to attending. The cost of attendance is \$1,400.00 per registration.

It is proposed that Mayor Wanden, Deputy Mayor Mason, Cr Tukapua and Cr Kaye-Simmons to attend the Conference.

Should additional Elected Members wish to attend, given the conference is in Palmerston North, and as a result savings in travel and accommodation, additional Elected Members could attend so long as a resolution of Council was passed.

Monique Davidson, Chief Executive also attends the conference.

Attachments




There are no attachments for this report.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|---|---|
| Author(s) | Jody Lygo Democracy Support Officer |  |
| Approved by | Grayson Rowse Principal Advisor - Democracy |  |
| | Monique Davidson Chief Executive Officer |  |

File No.: 22/232

Customer and Strategy - Activity Update

1. Purpose

To provide Council with an operational update on the activities being undertaken within the Customer and Strategy portfolio of Council. In time, a regular organisation performance that spans the whole organisation will be presented to Council on a quarterly basis. Until then regular department activity reports will be presented.

2. Recommendation

- 2.1 That Report 21/326 Customer and Strategy - Activity Update be received.
- 2.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

3. Key Highlights and Business Priorities

Building

- 3.1 Approximately 87% of building consents granted year to YTD to the end of April have been processed within statutory timeframes. Eighty two (82) building consents out of the 622 granted by the end of April, went over the statutory timeframes. The majority of the consents that went over timeframes were processed between October and February. This was largely due to the sudden illness of a key technical staff member in October and his subsequent departure in December, the difficulty in obtaining support from external contractors at that time of the year meant that the team struggled to manage the additional workloads. We are using the services of contractors to assist with processing consents at present.
- 3.2 Another experienced Building Advisory Officer started in the team on 16 May 2022 and have gone through a process that has resulted in John Tate being promoted to the Building Team Leader role. Filling this role is going to assist the team in meeting statutory requirements, implementing improvements to processes and enhancing the relationship with the Building sector.
- 3.3 Following the Council briefing about liquefaction, Tonkin & Taylor were asked to review the draft guidance to allow a less restrictive approach to areas that were unassessed. The trade-off for getting this additional refinement completed has meant that the new guidance will be delayed until at least the end of May (at the time of writing this report the information has yet to be received). We have notified the building industry about this and have provided a summary of what the new approach will be, so that customers can start accessing the relevant geotechnical testing. We also provided some clarity around the need for deeper bore holes to assess groundwater as some of the liquefaction assessments we received did not cover this sufficiently.
- 3.4 Customer surveys for building consent processing and inspections were sent to approximately 250 builders, engineers & building designers on date. Four responses have been received so far. A more targeted method will be used to follow-up with the sector to see if there is feedback that can be provided to help inform improvements that Officers can explore.

Planning

- 3.5 Approximately 60% of land use consents have been processed within statutory timeframes YTD as at the end of April 2022. Thirty-one consents have been processed outside of statutory timeframes.
- 3.6 Approximately 50% of subdivision consents have been processed within statutory timeframes for the YTD to the end of April 2022. Seventy consents were processed outside of statutory timeframes.
- 3.7 The level of compliance with statutory timeframes is reflective of the volume of work at present. It is estimated that 35% of subdivision consents processed in the 2021/22 year to date to the end of April, were lodged prior to the re-introduction of development contributions.
- 3.8 Recruitment continues for two additional Resource Management Planners to support the activity levels. The internal team are supported by a number of external planning consultants who are involved in processing consents to assist with the current consent activity levels and for those applications where there may be a perceived level of conflict.
- 3.9 One limited notified land use consent was granted by an independent commissioner in April 2022, following a virtual hearing.

Dogs

- 3.10 Over 96% of known dogs have been registered for the 2021/22 registration year. As at 18 May 2022, there were 6,231 registered dogs in the district and 216 known un-registered dogs that are recorded on Council’s database. All dog owners of the un-registered dogs were infringed in November 2021 for failing to register their dog/s. Infringement fees are \$300.00 for each un-registered dog, and the fee set by legislation.
- 3.11 Dog activity income is up by approximately 7% on the 2021/2022 expected income for the activity.

Parking

- 3.12 As previously reported the Covid-19 lockdown in August 2021 and the Waka Kotahi NZ Transport Agency temporary extensions in place to the end of November 2021 are reflected in the YTD income for this activity.
- 3.13 Payment via PayWave (credit and debit cards) and ParkEasy (where users scan a QR code) was enabled on parking meters in March 2022. This provides smartphone users a contactless option of paying for their parking.

4. Trends

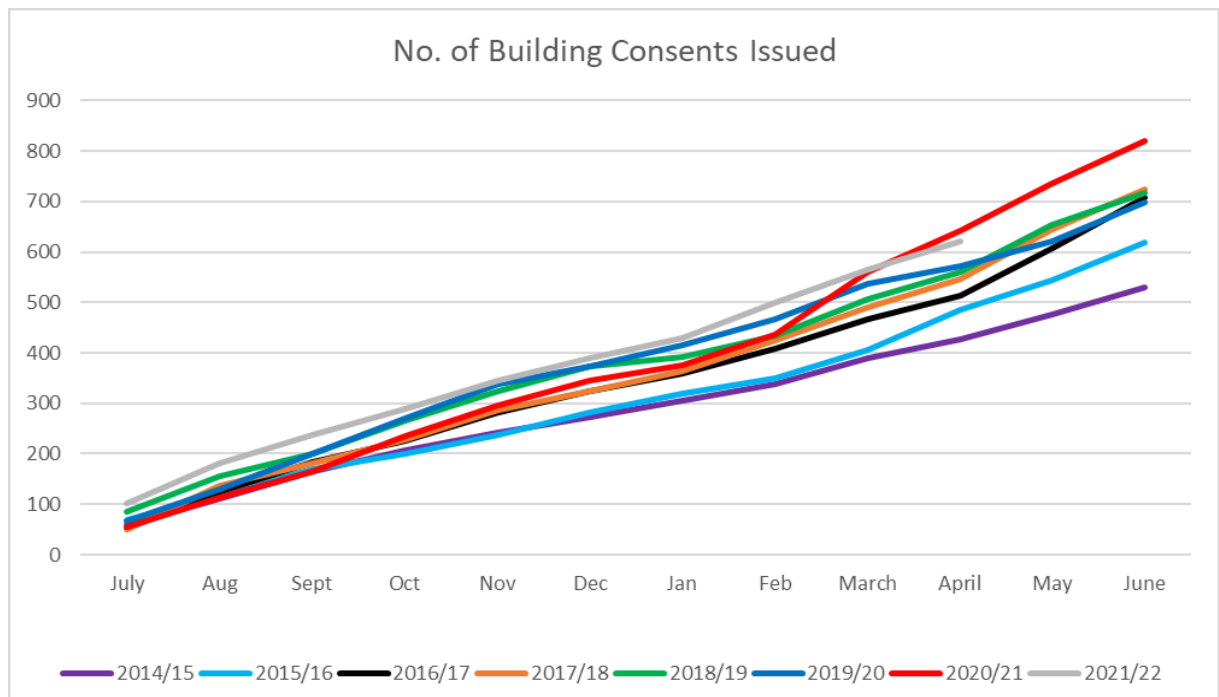
- 4.1 Building consent trends based on data for the period 1 July 2021 to 30 April 2022 are as follows:

| | YTD to 30 April 2022 | YTD to 30 April 2021 | Trend |
|---|-----------------------------|-----------------------------|--------------|
| Number of building consents lodged | 645 | 712 | ↓10% |
| Number of building consents issued | 621 | 643 | ↓3% |
| Number of new dwelling consents issued | 227 | 207 | ↑10% |
| Number of new dwelling units consented | 327 | 259 | ↑26% |
| Value of building | \$148,470,389 | \$108,925,041 | ↑36% |

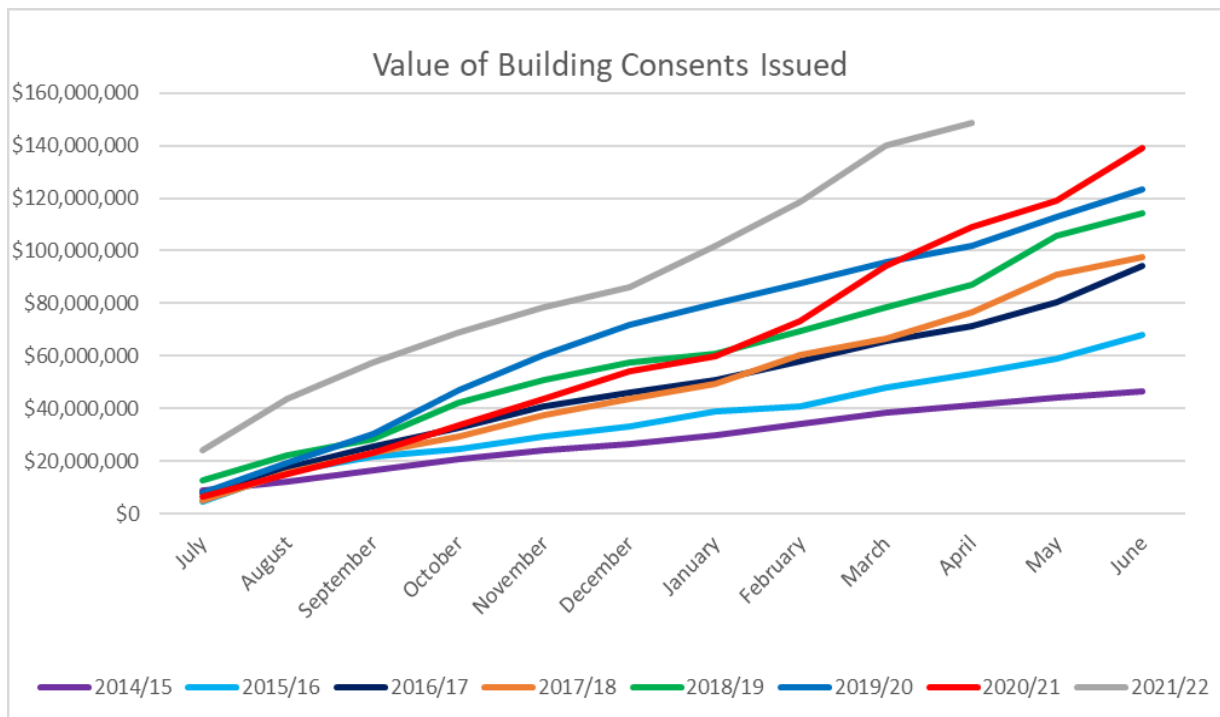
| | | | |
|--|-------|-------|------|
| consents issued | | | |
| Number of inspections completed | 5,402 | 4,982 | ↑8% |
| Number of CCCs issued | 450 | 544 | ↓17% |

The number of building consents lodged and issued is slightly below the same point in the last financial year. It is noted that we have processed a number of complex consents this year, which tend to have a higher number of dwelling units per building consent application.

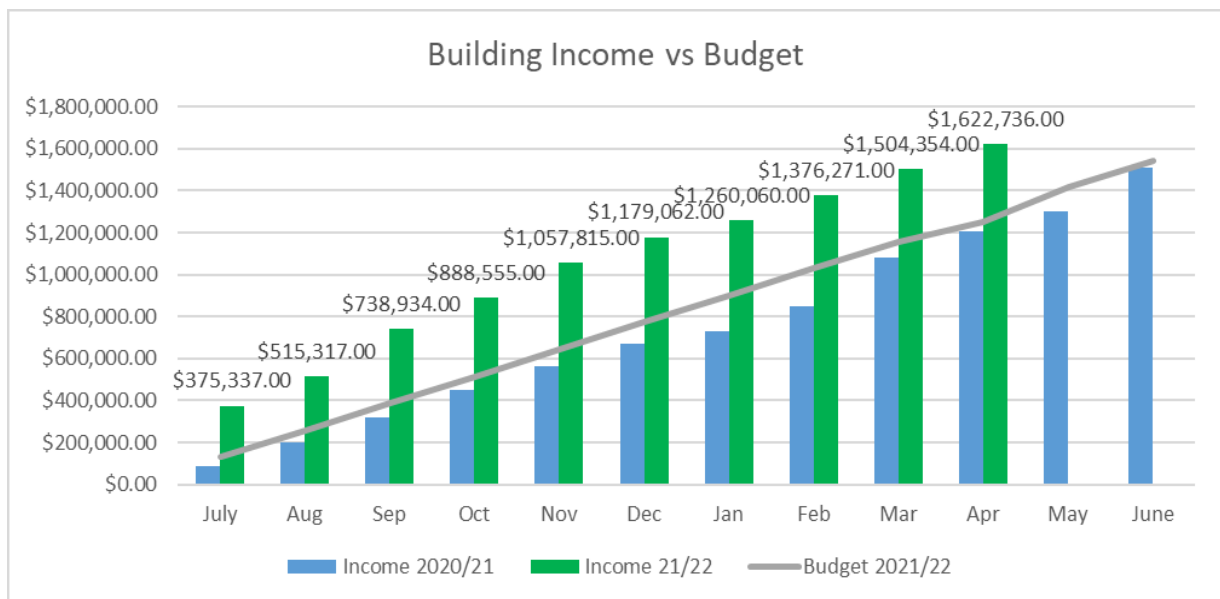
The number of inspections completed YTD continues to track higher than at the same point last year.



The chart above shows the cumulative total of the number of building consents issued. So far this financial year the number of building consents issued is slightly lower than the over the same period for the previous financial year, but is tracking ahead of the six years prior.



The chart above shows the cumulative total of the value of building consents issued, which is tracking higher than at the same point over the previous seven years.



The chart above shows the Building Income against the budget for 2021/22 and a month by month comparison against the previous financial year. Building consent income is over approximately \$374K above the budgeted figure for the end of April 2022, this is due to higher than anticipated levels of activity and the changes in the structure of building consent fees. There is also a mixture of income from consents that were processed under the old fee structure where the majority of the fees were invoiced after the consent was issued, and the new fee structure where the majority of the fees are invoiced for when the consent is lodged. This aspect is likely to further even itself out over the next few months.

Consents issued for new dwelling units are used as a proxy to track supply of new houses in the District. The Long Term Plan 2021-41 includes a new forecasting assumption of 352 new dwelling units between July 2021 and June 2022. Using this assumption and an average of 29 new dwellings per month to achieve this level of 352 new dwelling units, at the

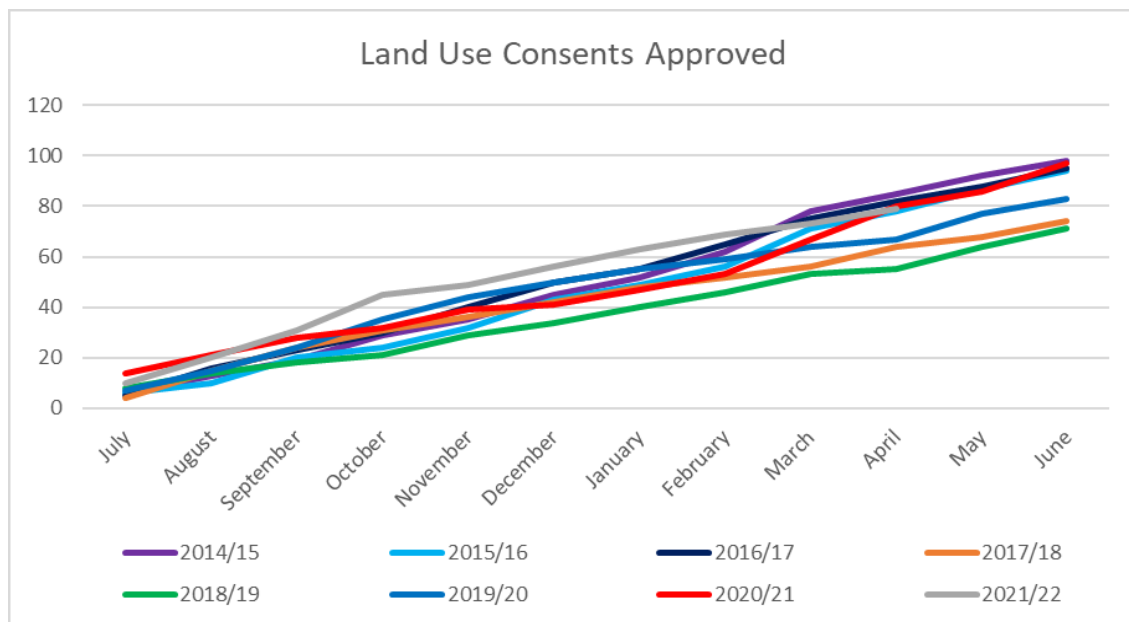
end of April 2022 the assumption anticipated 290 new dwelling units. With consents currently issued for 327 new residential dwelling units the supply is currently running ahead of the forecasting assumption based on the 95th percentile growth rate.

4.2 Planning (resource consenting) trends based on data for the period 1 July 2021 to 30 April are as follows:

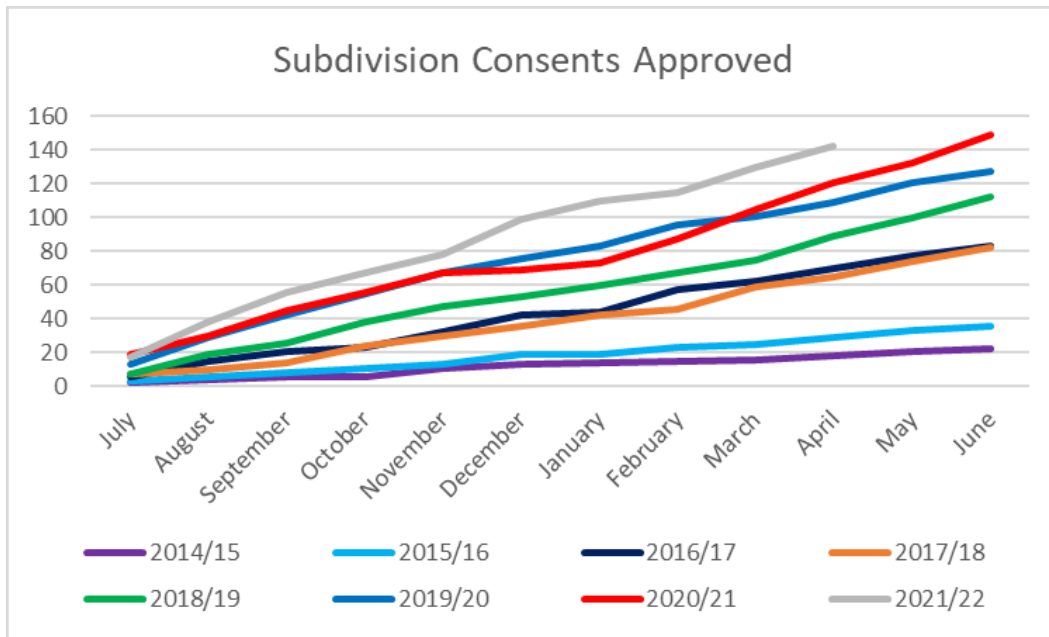
| | YTD to 30 April 2022 | YTD to 30 April 2021 | Trend |
|---|----------------------|----------------------|-------|
| Number of resource consent applications lodged | 300 | 282 | ↑6% |
| Number of subdivisions consents approved | 142 | 121 | ↑17% |
| Number of land use consents approved | 79 | 80 | ↓1% |
| Number of new allotments created at 223 stage | 179 | 320 | ↓44% |
| Number of new allotments created at 224 stage | 240 | 245 | ↓2% |
| Number of enquiries about resource consenting activity | 1,516 | 1,840 | ↓18% |

So far this financial year, the total number of resource consents lodged is 6% higher than the same period in the 2020/21 year. There has also been an increase in the complexity of consent applications received recently, with more consents being processed on a Limited Notified basis.

So far this financial year the number of subdivision consents approved is 17% higher than the same period than last year (2020/21) and is tracking well above the prior years.



The chart above shows the cumulative total of land use consents approved. So far this financial year the number of land use consents approved is slightly lower than previous years.

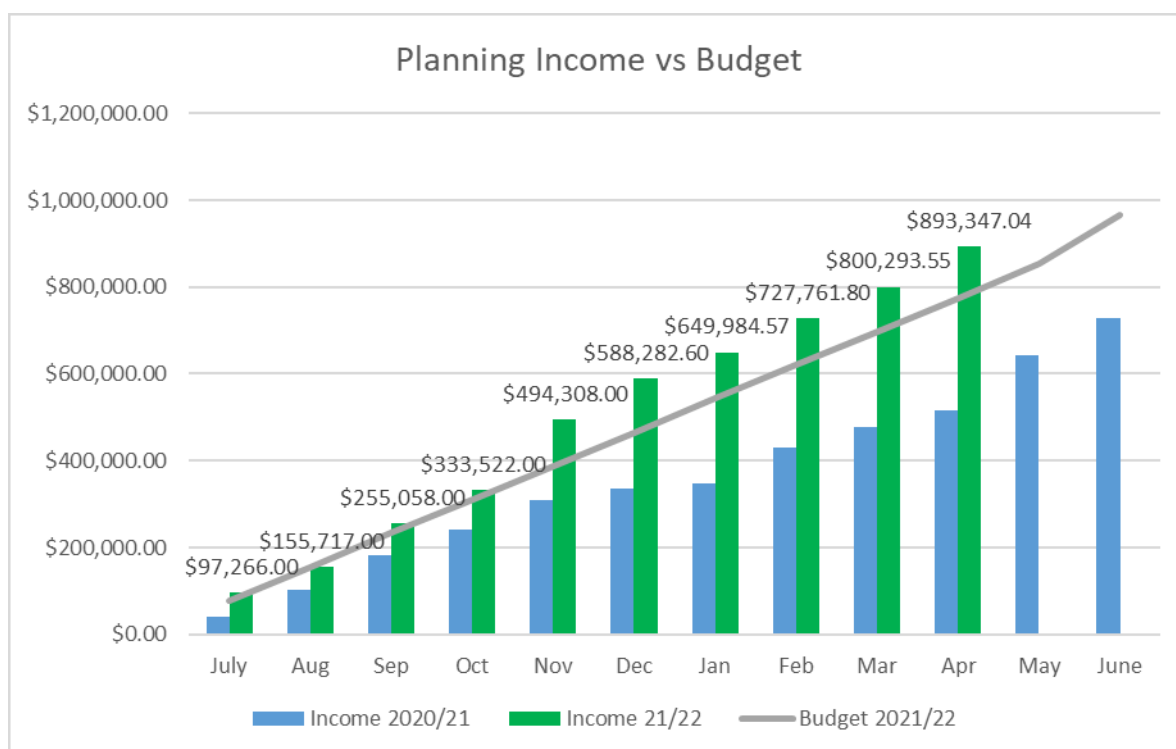


The chart above shows the cumulative total of subdivision consents approved. So far this financial year the number of subdivision consents approved is tracking above the previous seven years.

In terms of the number of new lots consented this year, the numbers are looking very positive with 374 new lots granted through subdivision consent to the end of April 2022. This is the first year out of the last six years where there have been more than 300 new lots consented.

The table below highlights where within the district (at a broad settlement level) the new lots have been consented.

| Location | Number of new lots Consented |
|---------------|------------------------------|
| Foxtton | 17 |
| Foxtton Beach | 29 |
| Waitarere | 49 |
| Shannon | 10 |
| Levin | 221 |
| Ohau | 1 |
| Hokio Beach | 0 |
| Waikawa Beach | 0 |
| Manakau | 1 |
| Rural | 46 |
| YTD TOTAL | 374 |



The chart above shows the planning income against the budget for 2021/22 and a month by month comparison against the previous financial year. Income for this activity is currently approximately \$117K ahead of the budgeted figure for 2021/22.

4.3 Parking

Parking trends based on data for the period 1 July 2021 to 30 April 2022 are as follows:

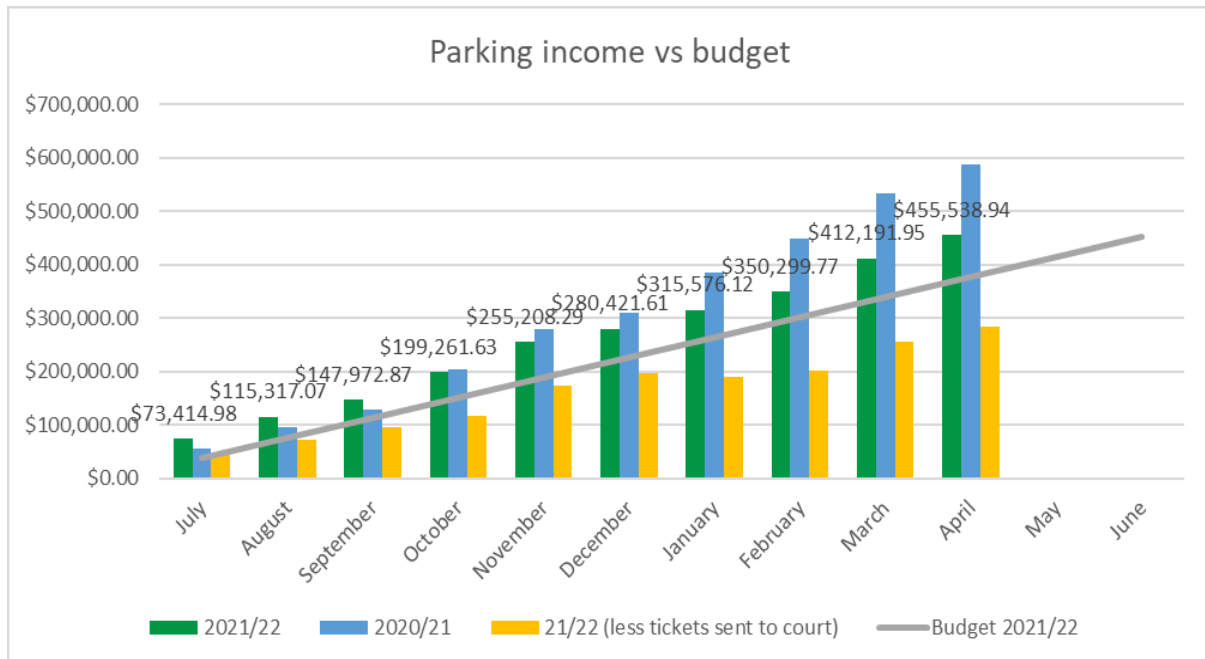
| | YTD to 30 April 2022 | YTD to 30 April 2021 | Trend |
|---|----------------------------|----------------------------|-------|
| No. of infringements issued | 2,923 | 4,219 | ↓30% |
| Value of infringements issued | \$313,716 | \$430,800 | ↓27% |
| Parking meter income received | \$49,632 | \$61,901 | ↓20% |
| Infringement income collected by Ministry of Justice | \$176,222 | \$183,698 | ↓4% |
| Value of infringements cancelled | \$84,170 | \$89,724 | ↓6% |

So far this financial year our Parking Wardens have issued 1,296 less infringements than the number issued during the same period last year, a significant decrease of 30%.

As previously reported, the impact of the temporary time extensions provided by Waka Kotahi NZTA for car registrations and warrants of fitness' from August to November 2021 and the Covid-19 lockdown in August 2021 has continued to be reflected in the YTD totals. In addition to this parking wardens on leave has had an impact on the total number of tickets issued during the month of December, as has the reduced number of working days during the extended Christmas break from 23 December 2021 to 17 January 2022. The parking meter upgrade work during 13 -17 December 2021 is also likely to have had a slight impact on the parking meter income received during this week.

So far this financial year the value of tickets is over 30% less than the same period last year (2020/21).

Despite the decrease in income compared to the previous year, the overall parking income is tracking on target and meeting the 2021/22 budget projections for the activity (provision for tickets sent to court excluded).



The chart above shows the Parking Income against the budget for 2021/22, a month by month comparison against the previous financial year, and the difference in amounts ticketed versus sent to court for collections. The graph shows that parking income is ahead of target with the expected income budget YTD.





Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their advantages and disadvantages bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

5. Appendices

There are no attachments for this report.

| | | |
|-------------|--|---|
| Author(s) | Megan Leyland Consents Manager |  |
| | Vaimoana Miller Compliance Manager |  |
| Approved by | David McCorkindale Group Manager - Customer & Strategy |  |
| | Monique Davidson Chief Executive Officer |  |

Adoption of Fees and Charges 2022/2023 Food Act Businesses and Resource Consenting (Planning)

File No.: 22/238

1. Purpose

The purpose of this report is to seek a resolution of Council to adopt fees and charges in respect of Food Act Businesses and Resource Consenting for the 2022/2023 year.

2. Recommendation

- 2.1 That Report 22/238 Adoption of Fees and Charges 2022/2023 Food Act Businesses and Resource Consenting (Planning) be received.
- 2.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 2.3 That the Schedule of Fees and Charges attached as **Attachment A** (Food Act Businesses) and **Attachment B** (Resource Consenting (Planning)) be adopted as operative fees and charges for the 2022/23 year, effective 1 July 2022.

3. Background/Previous Council Decisions

- 3.1 At the 13 April 2022 meeting, Council resolved to consult on proposed fees and charges in respect of Food Act Businesses and Resource Consenting, using the special consultative process. The report to that Council meeting outlined the proposed changes and rationale for these changes.
- 3.2 Following the public consultation submission period, there were no submissions received in relation to Food Act Businesses fees for 2022/23.
- 3.3 Following the public consultation submission period, one submission was received in relation to Resource Consenting (Planning) fees for 2022/23.
- 3.4 The submitter to the Resource Consenting (Planning) fees objected to the proposed changes to the deposits for Hearings, Limited Notified and Publicly Notified applications. After discussing the submission with the submitter and seeking clarification on the matter they had raised, the submitter agreed to withdraw their submission on the basis that the Officer recommendation to Council was to leave the deposits for Hearings, Limited Notified and Publicly Notified applications the same as they were in the 2021/22 schedule of fees and charges. Attachment B has been amended to reflect this change. The context for the change that had been consulted on had been to combine the notification and hearing fee into the deposit, which was intended to reflect the actual costs through a single rather than multiple payments. In discussion with the submitter it was agreed that there can be occasions where an application is notified and does not proceed to a hearing, and the applicant still pays the total cost regardless of deposit so on that basis Officers were comfortable making the recommendation to keep with the current fee structure for these application types.
- 3.5 Therefore, a resolution of Council is sought to adopt the schedule of fees and charges as Attachment A (Food Act Premises) and Attachment B (Resource Consenting) as operative fees and charges for the 2022/2023 year, effective 1 July 2022.

4. Issues for Consideration

There are no issues requiring the consideration of Council other than the adoption of the fees and charges proposed – due process as set out in the Food Act 2014 and the Resource Management Act 1996 has been followed in respect of the setting of these fees.

It is worth noting to Council, that when they consider the adoption of the Annual Plan on the 22 June 2022, Council will also formally endorse the fees and charges. This decision is specific to Food Act Businesses and Resource Consenting fees, as Council was required to consult on these.

Attachments





| No. | Title | Page |
|-------------------|---|------|
| A | Food Act 2014 Schedule of Fees and Charges 2022/23 | 113 |
| B | Resource Consenting (Planning) Schedule of Fees and Charges 2022/23 | 114 |

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

| | | |
|-------------|--|---|
| Author(s) | Megan Leyland Consents Manager |  |
| | Vaimoana Miller Compliance Manager |  |
| Approved by | David McCorkindale Group Manager - Customer & Strategy |  |
| | Monique Davidson Chief Executive Officer |  |

Food Act 2014 Fees and Charges

Council proposes the following fee structure to ensure the recovery of a proportion of the direct and indirect costs incurred by Council in performing its functions commencing 1 July 2022.

| Description | Fee/Charge 2022/23 | Variance From previous year |
|--|---|--|
| Registering a Food Control Plan that is based on a MPI template | \$270.00 | +5% +\$15.00 |
| Registering a business under a national programme | \$270.00 | +5% +\$15.00 |
| Renewing the registration of a Food Control Plan that is based on a MPI template | \$215.00 | +5% +\$11.00 |
| Renewing the registration of a business operating under a national programme | \$215.00 | +5% +\$11.00 |
| Amendment to registration | Charged at hourly rate of \$170.00 per hour | +5% +\$10.00 |
| Verification (including site visits and compliance checks) | \$170.00 per hour | +5% +\$10.00 |
| Compliance and Monitoring | \$170.00 per hour | +5% +\$10.00 |
| Charges for travel outside of Horowhenua District - <i>*Applicable where a verifier is required to travel outside of the Horowhenua District to verify a template Food Control Plan or a National Programme business.</i> | Cost +20% | Nil |

**Resource Consenting (Planning)
Fees and Charges for the 2022/23 Year**

PROPOSED FEES AND CHARGES

Council proposes the following fee structure to ensure the recovery of a proportion of the direct and indirect costs incurred by Council in performing its functions commencing 1 July 2022.

| Description | Fee/Charge 2021/22 | Proposed Fee/Charge 2022/23 | Variation |
|---|---|---|---|
| Resource Consent Application Deposits | | | |
| Land Use Consent (non-notified) | \$1,500.00 deposit | \$1,500.00 deposit | No change |
| Subdivision Consents (non-notified) | \$1,800.00 deposit | \$1,800.00 deposit | No change |
| Combined Land Use and Subdivision (non-notified) | \$2,000.00 deposit | \$2,000.00 deposit | No change |
| Limited Notification of Land Use or Subdivision Consent | \$3,000.00 deposit | \$10,000 deposit \$3,000.00 deposit | Combining hearing deposit with notification deposit and increased to reflect usual costs No change |
| Public Notification of Land Use or Subdivision Consent | \$5,000.00 deposit | \$20,000.00 deposit \$5,000.00 deposit | Combining hearing deposit with notification deposit No change |
| Fast Track (10 Day) Land Use Consents | \$3,000.00 deposit – all fees and charges are charged at double the hourly rates outlined below | \$3,000.00 deposit – all fees and charges are charged at double the hourly rates outlined below | No change |
| Other Applications/Certificates | | | |
| Boundary Activities | \$350.00 deposit | \$350.00 deposit | No change |
| Marginal or Temporary Activities | \$500.00 deposit | \$500.00 deposit | No change |

| | | | |
|---|-----------------------------------|-----------------------------------|---|
| s125 Extension of Time | \$750.00 deposit | \$750.00 deposit | No change |
| s127 Application to Change or cancellation of conditions/consent notice | \$1,000.00 deposit | \$1,000.00 deposit | No change |
| s221 Preparation of Consent Notice | \$210.00 fee per s224 application | \$210.00 fee per s224 application | No change |
| s221 Consent Notice Amendment and/or cancellation | \$600.00 deposit | \$600.00 deposit | No change |
| S223 Approval of Land Transfer Plan | \$250.00 fee | \$250.00 fee | No change |
| s224(c) or (f) Application – 0 to 3 Lots | \$500.00 deposit | \$500.00 deposit | No change |
| s224(c) or (f) Application – 4 Lots or more | \$800.00 deposit | \$800.00 deposit | No change |
| S224(e) – Cancellation of Easement | N/A | \$300.00 deposit | New deposit, previously captured under a general category |
| S226 Certification to allow a certificate of title to be issued for a separate allotment | \$600.00 deposit | \$600.00 deposit | No change |
| Any other application or certificate under the RMA 1991 | \$300.00 deposit | \$300.00 deposit | No change |
| Road Naming | \$500.00 deposit | \$500.00 deposit | No change |
| S139 Certificate of Compliance | \$1,000.00 deposit | \$1,000.00 deposit | No change |
| Existing Use Certificate | \$600.00 deposit | \$1,000.00 deposit | No change |
| Creation of a Right of Way under Section 348 of the Local Government Act 1974 or s243 RMA | \$500.00 deposit | \$500.00 deposit | No change |

| | | | |
|--|--------------------------------|---|---|
| Cancellation of an easement under section 243(e) of the RMA 1991 | \$300.00 deposit | \$300.00 deposit | No change |
| Notice of requirement to designate land - non-notified | \$1,500.00 deposit | \$1,500.00 deposit | No change |
| Notice of requirement to designate land notified | \$3,000.00 deposit | \$3,000.00 deposit | No change |
| Alteration to designation (non-notified) | \$1,000.00 deposit | \$1,000.00 deposit | No change |
| Outline Plan of works | \$1,000.00 deposit | \$1,000.00 deposit | No change |
| Outline Plan waiver | \$600.00 deposit | \$600.00 deposit | No change |
| Any other application under provisions of LGA 1974 not repealed | \$500.00 deposit | \$500.00 deposit | No change |
| Private Plan Change | \$10,000.00 deposit | \$10,000.00 deposit | No change |
| Processing & Monitoring Fees & Hourly Rates | | | |
| Resource Management Planner | \$170.00 per hour | \$178.50 per hour | Increase of 5% |
| Internal Specialist (e.g. DEs and EHOs) | \$170.00 per hour | \$178.50 per hour | Increase of 5% |
| Consent administration fee | \$160.00 fee | \$168.00 fee | Increase of 5% |
| Bond Preparation | \$300.00 fee per bond document | \$300.00 fee per bond document | No change |
| Bond Refund (excludes permitted activities) | \$150.00 fee per bond | \$150.00 fee per bond | No change |
| Streamlined Housing Process Applications | Not applicable | Consent processing fees capped at \$4,500 | Fee cap for new Streamlined Housing Process |
| Digital Capture Levy (applies to | \$200.00 fee | \$200.00 fee | No change |

| | | | |
|--|--------------------|--------------------|----------------|
| hard copy consent applications only) | | | |
| Digital Capture Levy (applies to applications received by email only) | \$50.00 fee | \$50.00 fee | No change |
| Land Use Consent Initial Monitoring Fee | \$160.00 fee | \$168.00 fee | Increase of 5% |
| Resource Consent Monitoring | \$170.00 per hour | \$178.50 per hour | Increase of 5% |
| Review of and Approval of Monitoring Reports & Other information submitted to satisfy consent conditions | \$170.00 per hour | \$178.50 per hour | Increase of 5% |
| Minor Engineering Approvals | \$850.00 deposit | \$850.00 deposit | No Change |
| Complex Engineering Approvals | \$1,700.00 deposit | \$1,700.00 deposit | No Change |
| <p>NOTES:</p> <ol style="list-style-type: none"> Hourly rates cover all work associated with resource consent processing, internal referrals and peer reviews, site visits, review of documents, monitoring visits/inspections (including hold point inspections), approval of engineering plans, report writing, meeting attendance, communication with applicants & agents, and hearing attendance – and any other work related to an applications under the Resource Management Act 1991. Minor engineering approvals are for specific and less complex work, such as service connections for a development, renewal of public infrastructure pipes to same grade and alignment, isolated rehabilitation of existing pipe or manhole, raising or lowering a public manhole lid and small scale developments and/or up to 3 Lot subdivision. Complex engineering approvals are for works such as public stormwater, wastewater or water supply extension/system, public road or road widening, relocation of public drainage or water supply system, public stormwater pond or wetland, public stormwater catchpit, soak hole, public swale or raingarden, bulk earthworks and large scale developments and/or 4 or more Lot subdivision. Streamlined Housing Process capped fees relates to all work associated with resource consent processing, internal referrals and peer reviews, site visits, review of documents, report writing, meeting attendance, communication with applicants & agents. The capped fee does not include monitoring visits/inspections, engineering plan approvals & 223/224 approvals. | | | |

| Miscellaneous Fees | | | |
|---|---|---|---|
| Pre-application Meeting(s) – all application types and designations | Two hours free then \$178.50 per hour, charged against application when submitted | Two hours free then \$178.50 per hour, charged against application when submitted | No Change |
| External Specialist Review of submitted information (either at application or monitoring stage) | Cost + 20% | Cost + 20% | No Change |
| Consultant s42A planning reports | Cost + 20% | Cost + 20% | No Change |
| Specialist Reports | Cost + 20% | Cost + 20% | No Change |
| Mileage | AA rate applicable | AA rate applicable | No Change |
| Disbursements | Cost + 20% | Cost + 20% | No Change |
| Pre-Hearing Meetings | Cost + 20% | Cost + 20% | No Change |
| Hearing Costs/Deposits | | | |
| Council Hearings Committee sitting collectively without an independent commissioner | \$3,200.00 deposit Charges based on elected member hourly rates | \$3,200.00 deposit Charges based on elected member hourly rates | Deposit bundled with notification fee No Change |
| Independent commissioners | At cost | At cost | No Change |
| Council Hearings Committee sitting with an independent commissioner(s) | \$3,200.00 deposit Charges based on elected member hourly rates plus independent commissioners' costs | \$3,200.00 deposit Charges based on elected member hourly rates plus independent commissioners' costs | Deposit bundled with notification fee No Change |
| s357 Lodgement of Objection & Assessment | \$550.00 deposit | \$550.00 deposit | No Change |

File No.: 22/241

Review of Alcohol (Liquor) Bylaw

1. Purpose

Council's Alcohol (Liquor) Bylaw is due for review, and the purpose of this report is to propose that the draft bylaw attached be consulted on using the Special Consultative Procedure as prescribed in section 83 of the Local Government Act 2002.

2. Executive Summary

- 2.1 Council currently has an Alcohol (Liquor) Bylaw 2015 that was made under the Local Government Act 2002 and specifically taking account of the requirements of section 147 "Power to make bylaws for alcohol control purposes".
- 2.2 The Alcohol (Liquor) Bylaw was adopted in May 2016 and was due for review in 2021. In order to amend or revoke a bylaw, Council must use the special consultative procedure set out in the Local Government Act 2002
- 2.3 Before making under section 147, a bylaw that is intended to replace an expiring bylaw and is to the same effect (or substantially the same effect) as the expiring bylaw, a territorial authority must be satisfied that-
 - (a) the bylaw can be justified as a reasonable limitation on people's rights and freedoms; and
 - (b) a high level of crime and disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and
 - (c) the bylaw is appropriate and proportionate in the light of that likely crime or disorder.

3. Recommendation

- 3.1 That Report 22/241 Review of Alcohol (Liquor) Bylaw be received.
- 3.2 That this decision is recognised as significant in terms of S76 of the Local Government Act.
- 3.3 That Council resolves that:
 - (i) A bylaw is the most appropriate way of addressing alcohol control matters, s155(1) Local Government Act 2002; and
 - (ii) the draft bylaw attached as **Attachment C** is the most appropriate form of bylaw, s155(2)(a) Local Government Act 2002; and
 - (iii) the draft bylaw attached as **Attachment C** does not give rise to any implications under the New Zealand Bill Of Rights Act 1990, s155(2)(b) Local Government Act 2002.
- 3.4 That Council is satisfied that the proposed Alcohol Control Bylaw is justified as a reasonable limitation on people's rights and freedoms; a high level of crime or disorder (being crime and disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and the bylaw is appropriate and proportionate in the light of that likely crime or disorder, s147A(3) Local Government Act 2002.
- 3.5 That the Horowhenua District Council resolves that the special consultative procedure as set out in section 83 of the Local Government Act 2002 be used for consultation purposes, and
 - (i) The Council adopts the Statement of Proposal attached as **Attachment A**, and the submission form attached as **Attachment B** be used to carry out the special consultative procedure.
- 3.6 That the hearing of any submissions on this matter be heard by the Hearings Committee of Council acting under delegated authority, and a subsequent recommendation be made by the Committee to Council on this matter.

4. Background / Previous Council Decisions

- 4.1 The Alcohol (Liquor) Bylaw was adopted in May 2016 and was due for review in 2021. In order to amend or revoke a bylaw, Council must use the special consultative procedure set out in the Local Government Act 2002.
- 4.2 The Alcohol (Liquor) Bylaw 2015 that was implemented at the request of Horowhenua Police and was consulted on with the community in 2016. Officers have reviewed the Alcohol (Liquor) Bylaw in consultation with Police with recommended changes to the bylaw incorporated into a new proposed Alcohol Control Bylaw.
- 4.3 The review of the bylaw is part of the continuing review process required of current bylaws.

5. Discussion

- 5.1 The primary purpose of this bylaw is to enhance safety and the public enjoyment of public places in a reasonable manner by providing for alcohol control in specified areas to reduce the incidence of alcohol-related harm.
- 5.2 Section 147 Local Government Act 2002 provides the authority for a territorial authority to make a bylaw in relation to alcohol, specifically -

- (i) s147(2). A territorial authority may make bylaws for its district for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, any or all of the following:
 - (a) the consumption of alcohol in public places;
 - (b) the bringing of alcohol into public places;
 - (c) the possession of alcohol in public places.
 - (ii) s147(3). In conjunction with a bylaw under subsection (2), a territorial authority may make bylaws for its district for the purpose of prohibiting or otherwise regulating or controlling, either generally or for one or more specified periods, the presence or consumption of alcohol in vehicles, or vehicles of stated kinds or descriptions, in public places.
 - (iii) s147(4). A bylaw under this section does not prohibit, regulate, or control, in the case of alcohol in an unopened container, -
 - (a) the transport of the alcohol from licensed premises next to a public place if it was lawfully brought on those premises for consumption off those premises, and, it is promptly removed from the public place; or
 - (b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place, or
 - (c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors, or
 - (d) the transport of the alcohol from premises next to a public place to a place outside the public place if, the transport is undertaken by a resident of those premises, and, the alcohol is promptly removed from the public place.
- 5.3 The proposed bylaw does not differ significantly from the current bylaw, with all changes proposed being summarised as follows:
- i. Administrative changes proposed to improve the clarity, presentation and usability of the bylaw;
 - ii. An extension to the alcohol ban area in Levin to include along Oxford Street Levin extending to Ward Street and Rina Streets, including Ward Street and Rina Street. Police suggested this change for the reason that increasing the alcohol ban area will then encompass the remaining on-licensed premises (Tony's Place and Levin Cosmopolitan Club) and environs and will be consistent with the existing area, which encompasses the other existing licensed premises.
 - iii. Including provision for Council to declare temporary alcohol control areas for a specified period not exceeding seven days by resolution. In such an events or periods, public notification must be given at least 14 days in advance of the specified event or period.
 - iv. Inclusion of Signage requirements. Section 147C of the Act requires Council to erect and maintain signs indicating the existence or boundaries of areas where an alcohol ban is in place. For clarification, the absence of a sign or signs indicating the existence or boundary of an alcohol control areas is not a defence to a breach of the bylaw.
 - v. Changes to the content relating to offences and penalties. It outlines the maximum infringement fines, as prescribed by the Act.
- 5.4 Alcohol ban areas for all other areas have remained the same as the 2015 Bylaw. This approach has been taken as what is in place now has worked well and if there is a need for change this will come through as a result of the consultation process to be followed.

6. Options

- 6.1 The following options have been considered to assist in determining whether a Bylaw is still the most appropriate means to manage alcohol related matters in public places within the Horowhenua District.

Option 1 – Revoke the Alcohol (Liquor) Bylaw 2015 (Not Recommended)

This option would result in not having an operative bylaw option. The current bylaw was implemented in 2016 and is due for review. Without a bylaw, the Council and Police would have difficulty promoting and maintaining public health and safety by reducing alcohol possession and consumption in public places, supporting Community Wellbeing through the reduction of incidences of alcohol-related harm.

Option 2 – Publicly consult with the community on the draft bylaw – (Preferred Option)

Consult with the Community and other key agencies and groups on the draft Alcohol Control Bylaw using the special consultative procedure set out by the Local Government Act.

7. Cost

Costs undertaking this review will be absorbed within existing operational budgets.

8. Community Wellbeing

- 8.1 Without a Bylaw, the Council and Police would have difficulty promoting and maintaining public health and safety by reducing alcohol possession and consumption in public places.
- 8.2 Continuing to have an Alcohol Control Bylaw in place will enhance public safety and community wellbeing through providing a mechanism that continues to enable the Council and Police to control the possession and consumption of alcohol in public places, to reduce alcohol-related harm.

9. Consenting Issues

There are no consents required or consenting issues arising.

10. LTP Integration

There is no LTP programme related.

In making, amending or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the Local Government Act 2002.

11. Consultation

- 11.1 In addition to use of the special consultative procedure required, it is also intended to target special interest groups as part of this review, including, Horowhenua Police, Community Groups and Associations, Iwi, Community Wellbeing Committee.
- 11.2 The proposed consultation plan and resultant timeframe that would be followed is set out below:

| TASK | DATE |
|--|------------------------|
| Council approval of Statement of Proposal and Summary of Information for consultation purposes - See recommendation 3.5 | 8 June 2022 |
| Submissions open | 13 June 2022 |
| Submissions close | 5pm on 22 July 2022 |

| | |
|---|-----------------|
| Officer consideration of submissions and report preparation | 27 July 2022 |
| Hearing of Submissions by Hearings Committee | To be Confirmed |
| Report to Council | To be Confirmed |
| Council Decision | To be Confirmed |

12. Legal Considerations

The process proposed and the recommendations that have been made will ensure legal requirements have been met.

13. Financial Considerations

There are no financial considerations as a result of making the decision to consult on the Alcohol Control Bylaw.

14. Other Considerations

Not Applicable.

15. Next Steps

That Council adopts the recommendations which will then allow the public consultation plan identified in clause 11 above to proceed.

Confirmation of statutory compliance


In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

7. Appendices

| No. | Title | Page |
|-------------------|--|------|
| A | Attachment A - Statement of Proposal - Review of Alcohol (Liquor) Bylaw | 125 |
| B | Attachment B - Submission Form - Review of Alcohol (Liquor) Bylaw - Proposed Alcohol Control Bylaw | 145 |
| C | Attachment C - Proposed Alcohol Control Bylaw 2022 - New version | 147 |

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|-----------|--|---|
| Author(s) | Vaimoana Miller Compliance Manager |  |
|-----------|--|---|

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|-------------|--|--|
| Approved by | David McCorkindale Group Manager - Customer & Strategy |  |
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| | Monique Davidson Chief Executive Officer |  |
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DRAFT Alcohol Control Bylaw

Statement of Proposal



Summary of Information

Horowhenua District Council is proposing to adopt a new Alcohol Control Bylaw and we are consulting with the community and seeking feedback on the new Bylaw. Council is proposing to retain the content within the current Alcohol (Liquor) Bylaw 2015 with changes proposed to the drafting to improve the clarity, presentation and usability, and to include an extension to the alcohol ban area in Levin.

Purpose of the Alcohol Control Bylaw

Consuming alcohol in public places can potentially lead to increased crime, disorder and safety concerns, which may include noise, litter, graffiti, public urination, vandalism, theft, intimidation, violence or reckless use of vehicles.

Council can use a bylaw to establish alcohol bans that help the Council and Police promote and maintain public health and safety. Alcohol bans prohibit the consumption and possession of alcohol in certain public places where crime or disorder is caused or made worse by alcohol consumed there.

Legal framework

Sections 147A and 155 of the Local Government Act 2002, requires Council to determine that the proposed bylaw –

- Can be justified as a reasonable limitation on people's rights and freedoms; and
- A high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and
- is the most appropriate way of addressing the perceived problem
- is the most appropriate form of bylaw;

Council must also comply with the general decision-making requirements in sections 76 to 82 of the Local Government Act in that it must identify and consider all reasonably practicable options and the community's views.

Appropriateness

The purpose of the Alcohol (Liquor) Bylaw 2015 is to enhance safety and the public enjoyment of public places in a reasonable manner by providing for liquor control in specified areas to reduce the incidence of alcohol related offences.

The perceived problem being crime or disorder caused or made worse by the consumption of alcohol in public places.

In reviewing the current bylaw, Officers met with Horowhenua Police to seek feedback on the existing alcohol ban areas. Horowhenua Police consider that the existing alcohol bans are working to allow for a graduated response. The alcohol ban areas allow police to require alcohol to be removed from the alcohol ban area (tipped out or disposed of) without the need for further enforcement.

This recent feedback is consistent with that received from Horowhenua Police during the review of the liquor ban areas in 2016; "*The liquor bans in place across Horowhenua have a positive impact on preventing disorder and criminal offending and provide an effective tool for police to prevent alcohol related harm in the areas that the liquor ban applies*".

Officers have concluded that the proposed Alcohol Control Bylaw continues to enable the Council and Police to control the possession and consumption of alcohol in public places to reduce alcohol related harm as opposed to having no bylaw and relying only on education and information, or general legal requirements.

Without a bylaw, the Council and Police would have difficulty promoting and maintaining public health and safety by reducing alcohol possession and consumption in public places.

Therefore, Officers recommend that the proposed Alcohol Control Bylaw is the most appropriate form of bylaw as it provides for greater certainty and is enforceable by the Police.

Consistency with the New Zealand Bill of Rights Act 1990

The Alcohol Control Bylaw is considered to be consistent with the New Zealand Bill of Rights Act 1990 and does not raise any implications under this Act.

Following the prescribed special consultative procedure set out in section 83 of the Local Government Act 2002 the Council will consider the final draft of the proposed bylaw and its New Zealand Bill of Rights Act 1990 implications, if any.

Our proposal

Council is proposing to adopt a new Alcohol Control Bylaw in which retains the vast majority of content within the current Alcohol (Liquor) Bylaw 2015, and includes the following proposed changes:

1. Administrative changes proposed to improve the clarity, presentation and usability of the bylaw;
2. An extension to the alcohol ban area in Levin to include along Oxford Street Levin extending to Ward Street and Rina Streets, including Ward Street and Rina Street. The reason for this is that increasing the alcohol ban area will then encompass the remaining on-licensed premises (Tony's Place and Levin Cosmopolitan Club) and environs and will be consistent with the existing area which encompasses the other existing licensed premises. This will extend the area as Shown in Appendix 5.
3. Including the Foxton Riverloop Reserve into the Alcohol Ban area for Foxton.
4. Including provision for Council to declare temporary alcohol control areas for a specified period not exceeding seven days by resolution. In such an events or periods public notification must be given at least 14 days in advance of the specified event or period
5. Inclusion of Signage requirements.

Section 147C of the Act requires Council to erect and maintain signs indicating the existence or boundaries of areas where an alcohol ban is in place. For clarification, the absence of a sign or signs indicating the existence or boundary of an alcohol control areas is not a defence to a breach of the bylaw.

6. Changes to the content relating to offences and penalties. It outlines the maximum infringement fines, as prescribed by the Act.

Consultation and Submission

In making, amending or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the Local Government Act 2002. Council has prepared and adopted the proposed bylaw for public consultation. Any person can make a submission on the proposed bylaw and we invite you to have your say.

A copy of the Statement of Proposal, including the proposed bylaw and information about making a submission can be obtained from the Council website www.horowhenua.govt.nz

Submissions can be made online at via the Councils website, www.horowhenua.govt.nz or alternatively submission forms and the Statement of Proposal are available at the Council Offices in Levin (126 Oxford Street, or Te Takeretanga o Kura-hau-pō), Te Awahou Nieuwe Stroom, Foxton or Shannon Library, Plimmer Terrace Shannon.

Copies may also be obtained by telephoning Council's Customer Service Centre, Levin, on (06) 366 0999, and on Council's website www.horowhenua.govt.nz.

Submitters should advise whether they wish to be heard at the Hearings Committee Meeting which will be scheduled after the consultation period has closed. Submitters are advised that pursuant to the Local Government Act 2002 and subject to the Local Government Official Information and Meetings Act 1987, all submissions shall be made available to the public.

Submissions on the proposal close at 5.00 pm on Friday 22 July 2022.

DRAFT Alcohol Control Bylaw

1. Preamble

The Horowhenua District Council in pursuance of the powers contained in the Local Government Act 2002, the Bylaws Act 1910 and any other authority enabling the Council in that behalf makes the following Bylaw.

2. Title and Commencement

This Bylaw is the Alcohol Bylaw 2022 and comes into force on XXXX

3. Application

This bylaw applies to the Horowhenua District.

4. Purpose

The purpose of this bylaw is to enhance public safety and enjoyment of public places by providing for alcohol control in specified public places to reduce the incidence of alcohol-related harm.

The Bylaw is made under the authority of Section 147 of the Local Government Act 2002.

5. Definitions and Interpretation

In this Bylaw, if not inconsistent with the context:

Act means the Local Government Act 2002.

Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Alcohol-related harm has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Alcohol Control Area means the public area described in the Schedule One of this Bylaw in which alcohol prohibition are permanently in place during the times, days or dates specified in the Bylaw.

Alcohol prohibition means a prohibition specified in this Bylaw on the consumption of alcohol, the bringing of alcohol into, and the possession of alcohol, in a designated public place (subject to the prescribed exceptions in Section 147(3) of the Local Government Act 2002).

Bylaw means the Alcohol Control Bylaw 2022.

Constable means a Police employee who

- (a) Holds the office of constable (whether appointed as a constable under the Police Act 1958 or the Policing Act 2008); and
- (b) Includes a constable who holds any level of position within the New Zealand Police.

Council means the Horowhenua District Council or any Authorised Officer.

Enforcement Officer means a person appointed by the Council pursuant to s177 of the Local Government Act 2002 to exercise the powers of an Enforcement Officer.

Infringement Fee has the meaning given by section 243 of the Local Government Act 2002.

Infringement Offence has the meaning given by section 243 of the Local Government Act 2002.

Licensed Premises has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Member of the Police means a sworn member of the Police appointed under the Policing Act 2008.

Offence means an offence under Section 239 of the Local Government Act 2002 that is a breach of this bylaw.

Public Place has the meaning given by section 147 of the Local Government Act 2002:

"means

- (a) a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but
- (b) does not include licensed premises."

Vehicle has the meaning given by section 2(1) of the Land Transport Act 1998.

6. Alcohol Ban Areas

- 6.1 The places listed in Schedule One are designated as an Alcohol Control Area in respect of which the consumption of alcohol, the bringing of alcohol into and the possession of alcohol in those public places is prohibited on the days of the week and during the hours prescribed for each place:

7. Temporary Alcohol Control Areas

- 7.1 Council may from time to time, by resolution make an alcohol ban prohibiting, regulating or controlling the consumption, bringing into, or possession of alcohol in any public place (including in a vehicle) for specified events or for one or more specified periods.
- 7.2 An alcohol ban made under clause 7.1 for specified events or periods must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the Local Government Act 2002.

8. Enforcement Powers under this Bylaw

8.1 Powers of Search

Where Council has resolved to prohibit the consumption or possession of alcohol in any public place, the requirements on Police relating to Search, Seizure and Arrest are detailed in Clause 8.2.

8.2 Powers of Search, Seizure and Arrest

In accordance with section 169(2) and 170 of the Act, a Constable may, without warrant, -

- (a) for the purpose of ascertaining whether alcohol is present, search –
 - (i) a container (for example, a parcel, package, bag, or case) in the possession of a person who is in, or entering, a public place:
 - (ii) a vehicle that is in, or is entering, a public place:
- (b) seize and remove any alcohol and its container if the alcohol is in a public place in breach of a bylaw:
- (c) arrest a person whom the Constable finds committing an offence against this bylaw.
- (d) arrest a person who has refused to comply with a request by a Constable -
 - (i) to leave the public place; or
 - (ii) to surrender to a Constable any alcohol that, in breach of an Alcohol Ban, is in that person's possession.

8.3 Alcohol or a container seized under clause 8.2 is forfeited to the Crown if the person from whom the alcohol or container seized pays the infringement fee.

8.4 Before exercising the power of search under Clause 8.2, a Constable must -

- (a) inform the person in possession of the container or the vehicle, as the case may be, that he or she has the opportunity of removing the container or the vehicle from the public place; and
- (b) provide the person with a reasonable opportunity to remove the container or the vehicle, as the case may be, from the public place.

8.5 Powers to request Name and Address

Any person whom an Enforcement Officer or member of the Police believes on reasonable grounds is committing or has committed an offence against this bylaw fails or refuses when required by the Enforcement Officer or member of the Police to give his/her name and/or address, or give a false name and/or address, he/she shall be guilty of an offence against the Act and liable on conviction to a fine not exceeding \$5,000.

9. Exceptions from this Bylaw for Transportation of alcohol

- 9.1 There is no offence against this Bylaw where alcohol has been purchased from an Off Licensed premises within the Alcohol Control Area, and is being transported in an unopened state from this area.

10. Exceptions from this Bylaw for Licensed Premises

- 10.1 Prohibitions in this Bylaw do not apply -
- (a) Alcohol sold by premises in an alcohol ban area, under the Sale and Supply of Alcohol Act 2012, in an unopened state;
 - (b) Alcohol being transported in an unopened state from premises in an alcohol ban area, licensed for the sale and/or consumption of alcohol under the Sale and Supply of Alcohol Act 2012;
 - (c) Where in compliance with a licence for the sale and/or consumption of alcohol under the Sale and Supply of Alcohol Act 2012, alcohol is allowed to be consumed in the areas that are licensed as part of the alcohol licence where they may be established in an Alcohol Control Area.

11. Power of Waiver, Dispensation and Suspension for Special Events

- 11.1 The Chief Executive of the Horowhenua District Council or his/her nominated representative may, on application by any person including a Council officer, grant a waiver, dispensation or licence to do or refrain from doing anything which would otherwise be in breach of this bylaw for the purpose of enabling possession and/or consumption of alcohol in a public place at the time of any special event.
- 11.2 Such a waiver, dispensation or suspension of operation of any part of this bylaw shall be granted only in respect of specific time periods and specific locations associated with the special event, to enable better enjoyment of the event by members of the public.
- 11.3 In considering any such application, the person responsible for making a decision shall obtain and consider a response from New Zealand Police to the request, including the reasons for that response.
- 11.4 Where any such waiver, dispensation or suspension is granted, public notice of the waiver, dispensation or suspension should be given by public notice advertisement in a daily newspaper circulating the Horowhenua District at least 6 days prior to the commencement of the period when the waiver, dispensation or suspension commences.
- 11.5 A fee or charge may be payable by the applicant to cover any direct costs or outgoings associated with the public notice and/or obtaining a police response to the application under this section. This fee or charge may be refunded, remitted or waived at the discretion of the Chief Executive of the Horowhenua District Council, or his/her nominated representative.
- 11.6 Nothing in this Section over-rides any conditions in the Sale and Supply of Alcohol Act 2012 pertaining to Special Licences requirements.

12. Addition or Deletion of Public Places

- 12.1 Council may add to, amend or revoke an alcohol ban in Schedule 1 by resolution following the use of the special consultative procedure set out in sections 83 and 156 of the Local Government Act 2002.
- 12.2 An alcohol ban made under clause 12.1 must be publicly notified at least 14 days before it takes effect.

13. Signage

- 13.1 Where it is practicable or reasonable to do so, the Council will erect signage within alcohol control areas to provide information to the public about the restrictions. The size, location and content of the signage will be at the Council's discretion.
- 13.2 To avoid any doubt, the absence of signage in any alcohol control area does not authorise a breach of this bylaw.
- 13.3 This clause is subject to any regulations made under section 147C of the Act.

14. Breach of Bylaw and Penalty

- 14.1 Any person who fails to comply with any control, restriction, limitation or prohibitions contained within or made pursuant to this Bylaw or acts in breach of any provision of this bylaw commits an offence under the Act and is liable to the penalties under the Act.

Explanatory note: Penalties are prescribed under the Local Government (Alcohol Ban Breaches) Regulations 2013.

The infringement fee for breaching an Alcohol ban is currently \$250.00.

The foregoing Bylaw was duly made by the Horowhenua District Council by a resolution passed on the XXXX and was confirmed following consideration of community submissions received during a special consultation procedure, by a resolution passed on the XXXX.

The Common Seal of the)
HOROWHENUA DISTRICT COUNCIL)
was hereunto affixed in the presence of:)

_____ Mayor

_____ Chief Executive

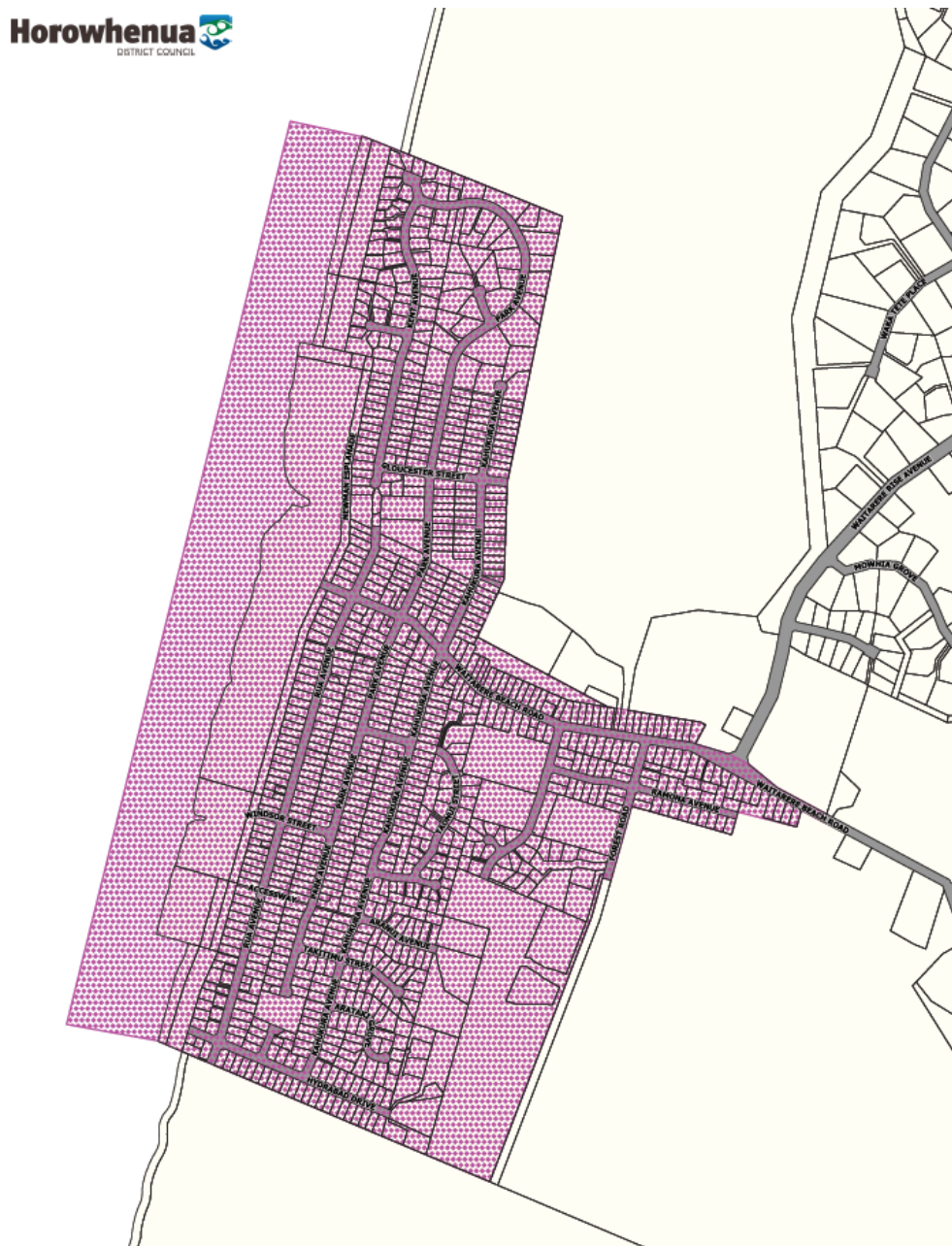
Schedule One – Alcohol Control Areas

| Name | Alcohol Control Area | Restriction | Map |
|-----------------|--|--|------------|
| Waitarere Beach | This public place is the area known as Waitarere Beach depicted on the map as Appendix 1, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place from: (a) 5.00 pm on Guy Fawkes evening until 7.00 am on the day following, of each year (b) 5.00 pm on New Year's Eve evening until 7.00 am of New Year's Day of each year. | Appendix 1 |
| Foxton Beach | This public place is the area known as Foxton Beach depicted on the map as Appendix 2, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place from: (a) 5.00 pm on Guy Fawkes evening until 7.00 am on the day following, of each year (b) 5.00 pm on New Year's Eve evening until 7.00 am of New Year's Day of each year. | Appendix 2 |
| Hokio Beach | This public place is the area known as Hokio Beach depicted on the map as Appendix 3, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place from: (a) 5.00 pm on Guy Fawkes evening until 7.00 am on the day following, of each year (b) 5.00 pm on New Year's Eve evening until 7.00 am of New Year's Day of each year. | Appendix 3 |
| Waikawa Beach | This public place is the area known as Waikawa Beach depicted on the map as Appendix 4, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place from: (a) 5.00 pm on Guy Fawkes evening until 7.00 am on the day following, of each year (b) 5.00 pm on New Year's Eve evening until 7.00 am of New Year's Day of each year. | Appendix 4 |

Schedule One continued

| Name | Alcohol Control Area | Restriction | Map |
|--------------------|---|---|---------------------|
| Levin CBD | This public place is the area known as Levin CBD depicted on the map as Appendix 5, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified, including the carparks of Levin New World Supermarket, 21 Bath Street, Levin, and Pak'nSave Mini Supermarket, 508 Queen Street, Levin. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Appendix 5 |
| Foxton CBD | This public place is the area known as Foxton CBD depicted on the map as Appendix 6, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Appendix 6 |
| Shannon CBD | This public place is the area known as Shannon CBD depicted on the map as Appendix 7, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Appendix 7 |
| Jubilee Park Levin | This public place is designated as the Jubilee Park site and includes all footpath areas bounding this site along Bath Street and Parker Avenue, Levin. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Shown on Appendix 5 |

Appendix 1



 ALCOHOL BAN AREA

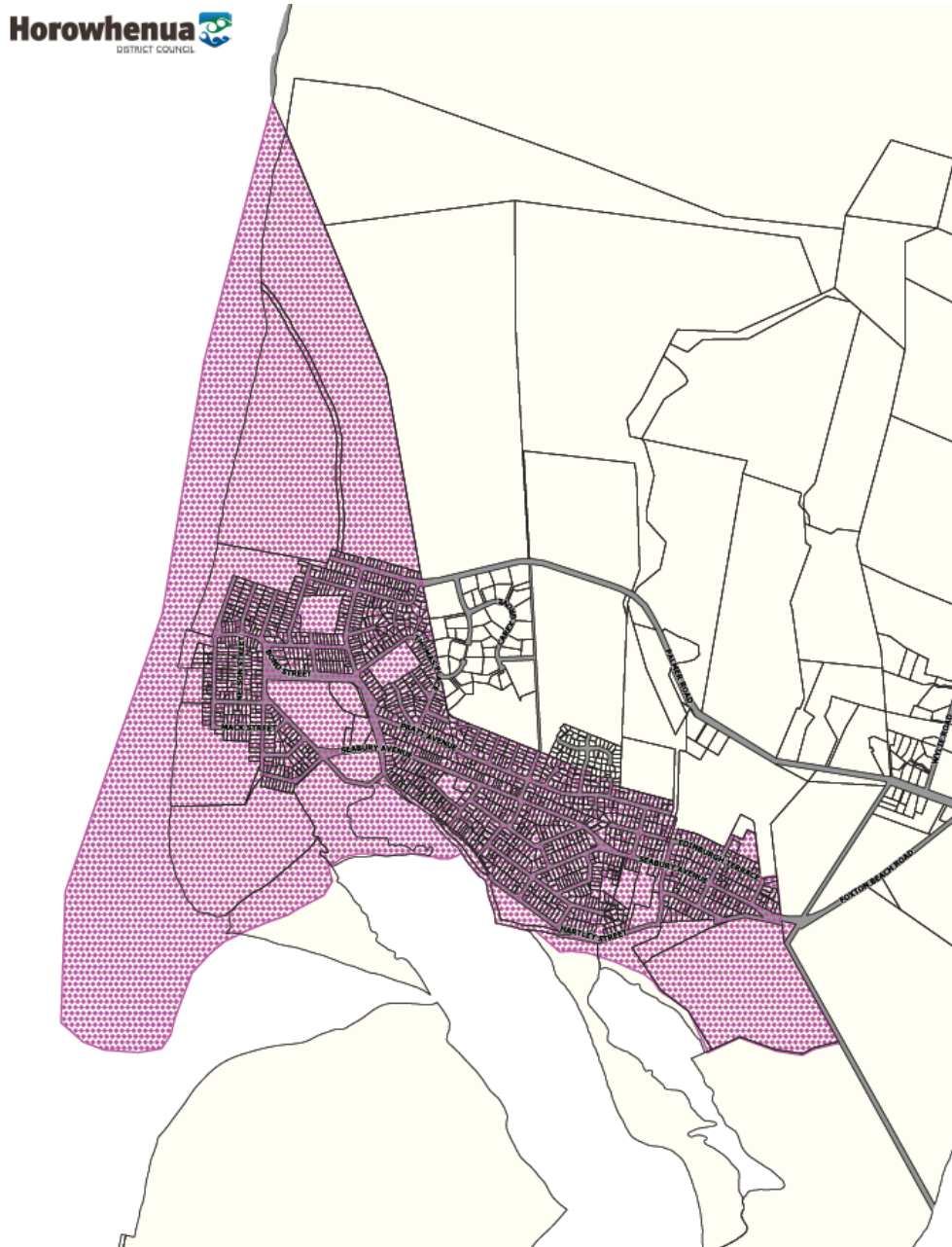
**Alcohol Ban Area
Waitarere Beach**

0 100 200 300 400 500 m

Scale 1:7 500 (A3)

IGC April 2022
Property data - Land Information New Zealand - April 2022

Appendix 2



 ALCOHOL BAN AREA

**Alcohol Ban Area
Foxton Beach**

0 250 500 750 1,000 m

Scale 1:15 000 (A3)
NSC April 2022
Property data - Land Information New Zealand - April 2022

Appendix 3



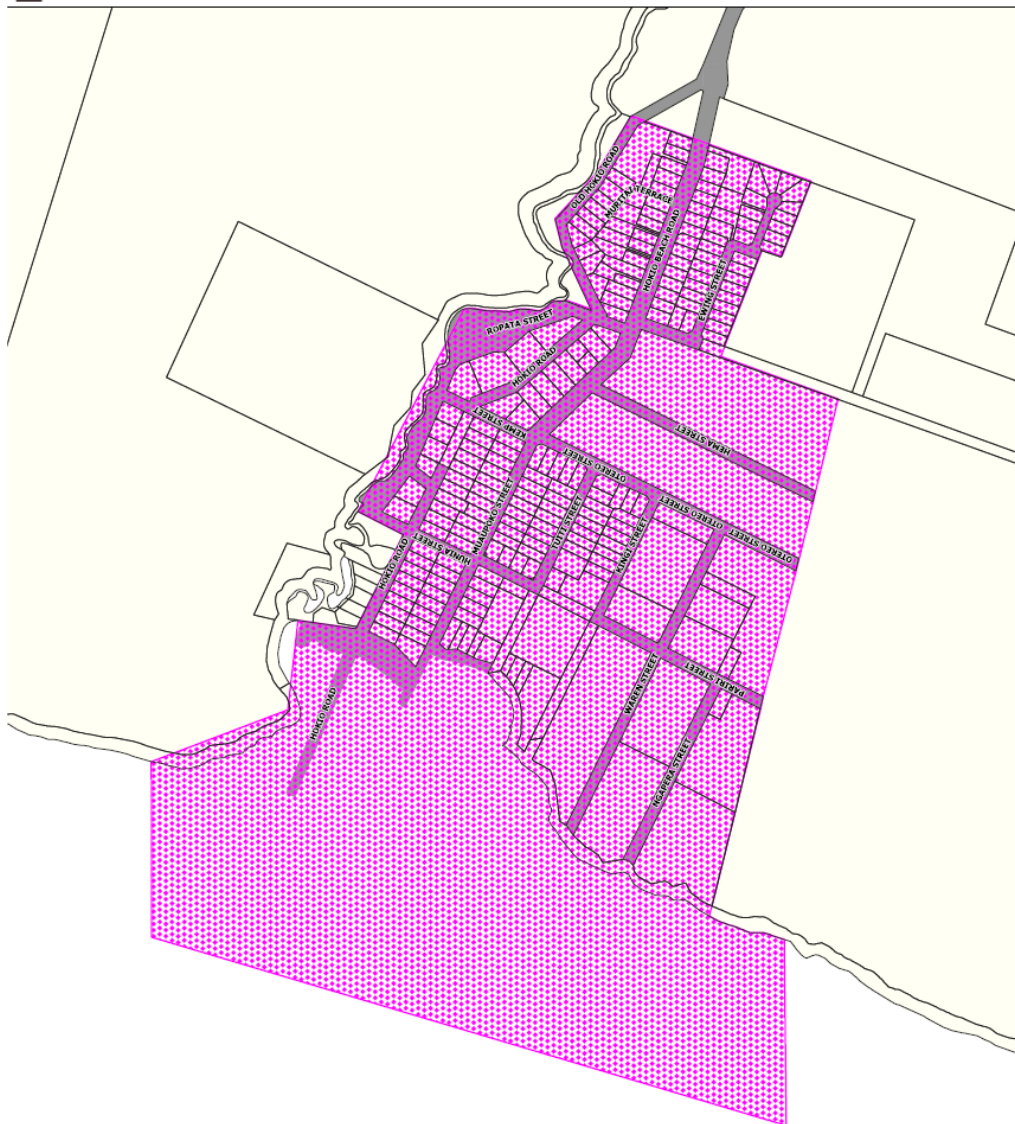
**Alcohol Ban Area
Hokio Beach**



0 50 100 150 200 m

Scale 1:6 000 (A3)

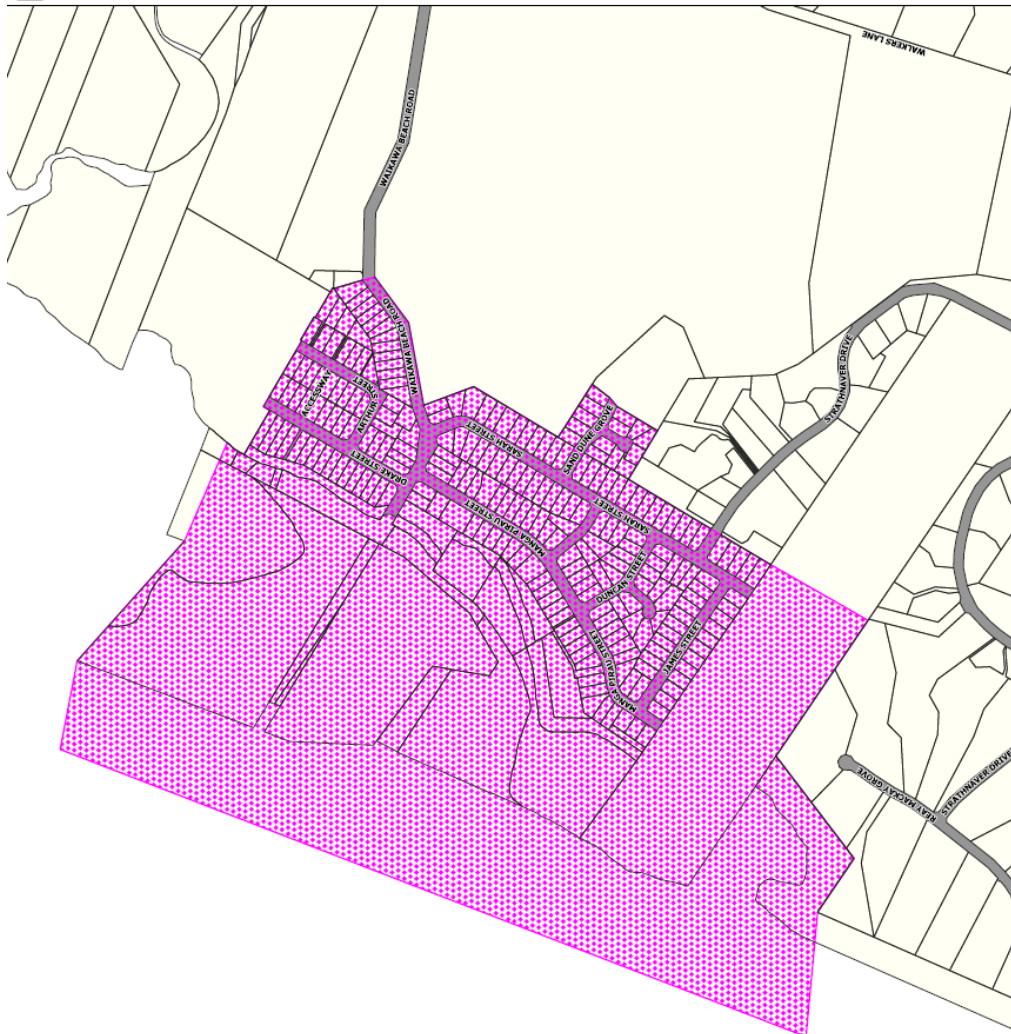
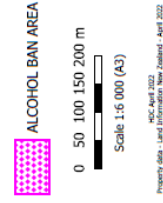
MSC April 2022
Property data - Land Information New Zealand - April 2022



Appendix 4



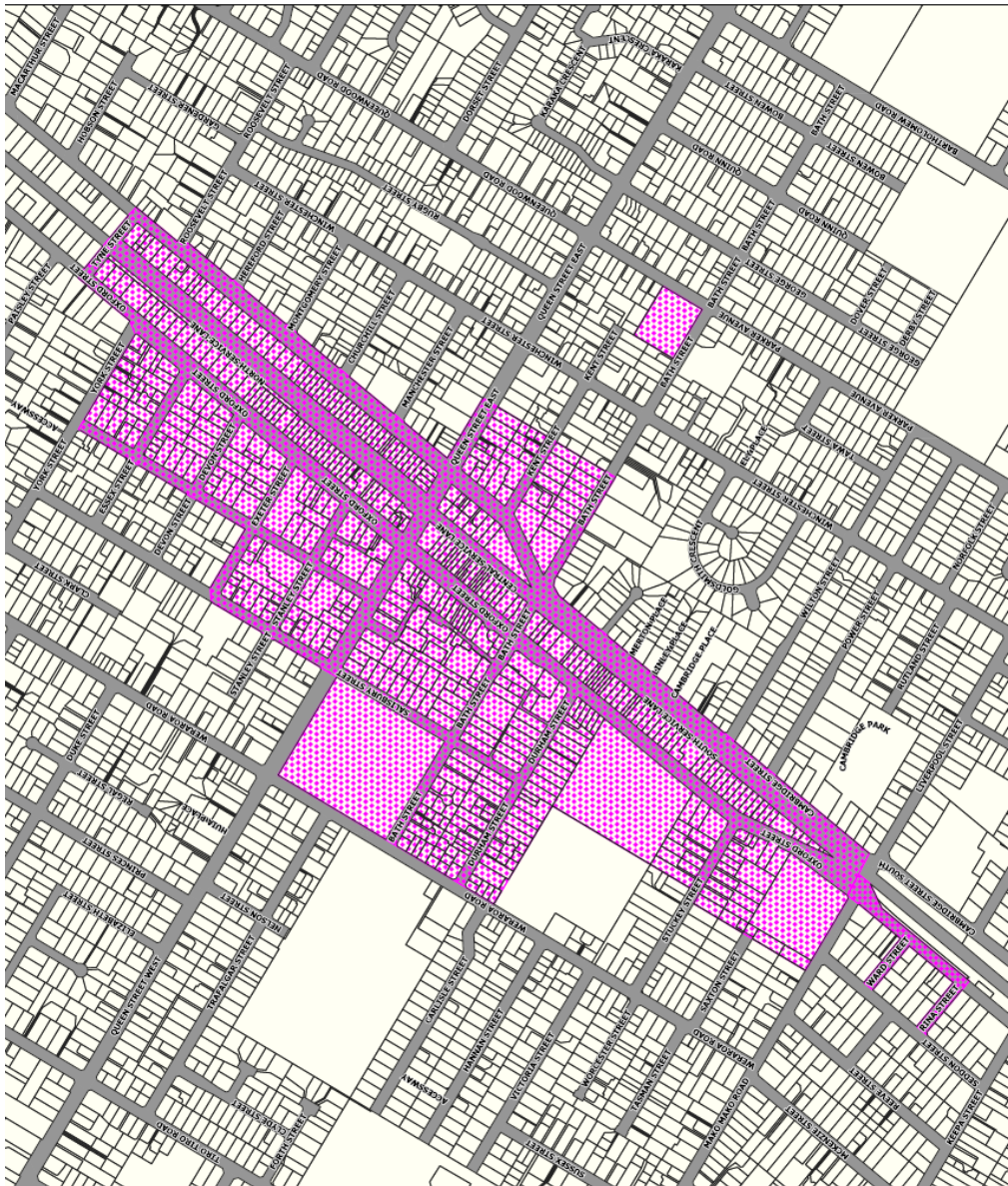
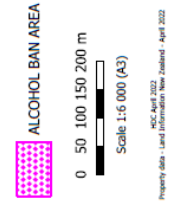
**Alcohol Ban Area
Waikawa Beach**



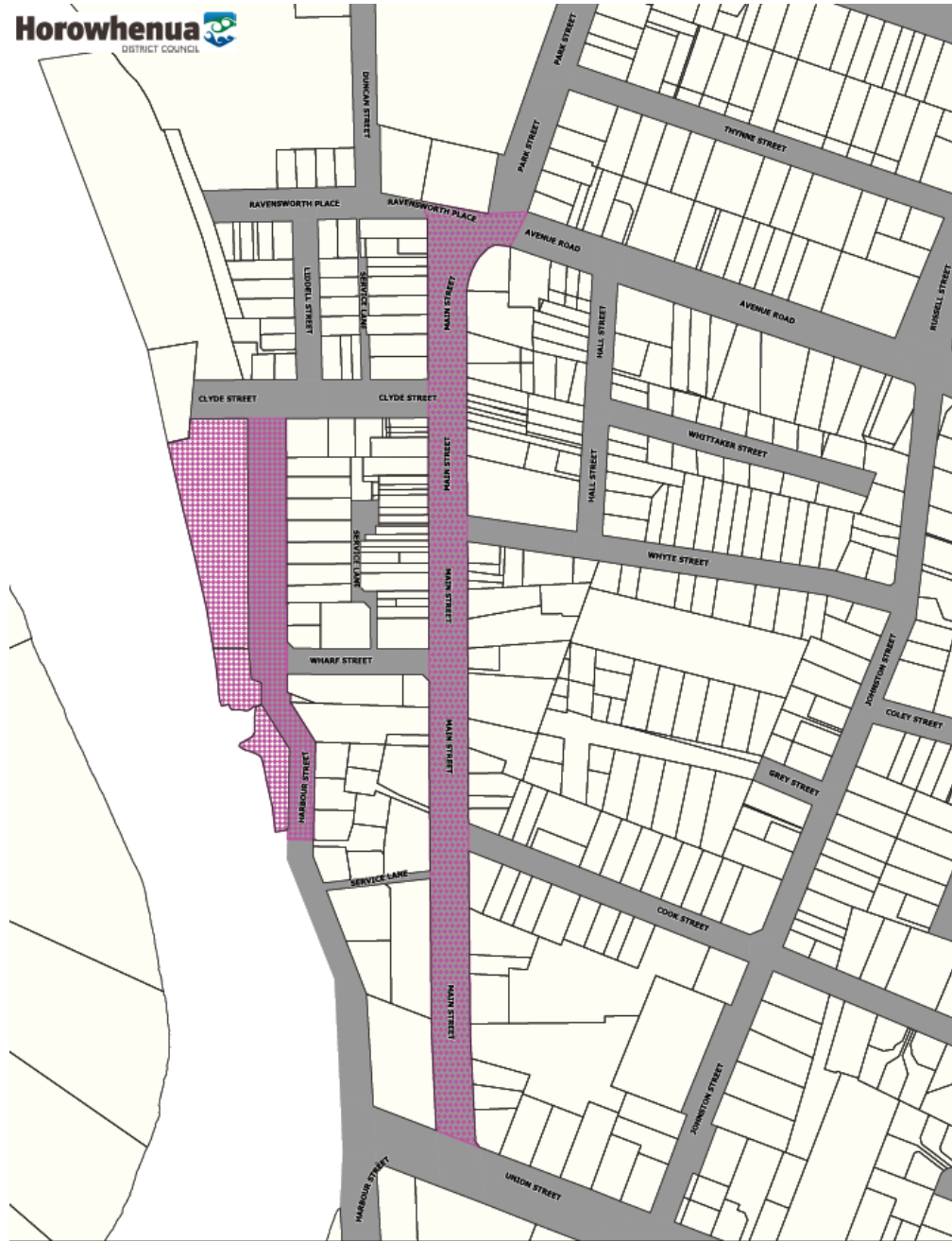
Appendix 5



**Alcohol Ban Area
Levin CBD**



Appendix 6



 ALCOHOL BAN AREA

**Alcohol Ban Area
Foxton**

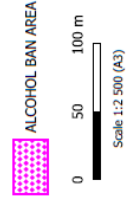
0 50 100 m

Scale 1:2 500 (A3)
HDC April 2022
Property data - Land Information New Zealand - April 2022

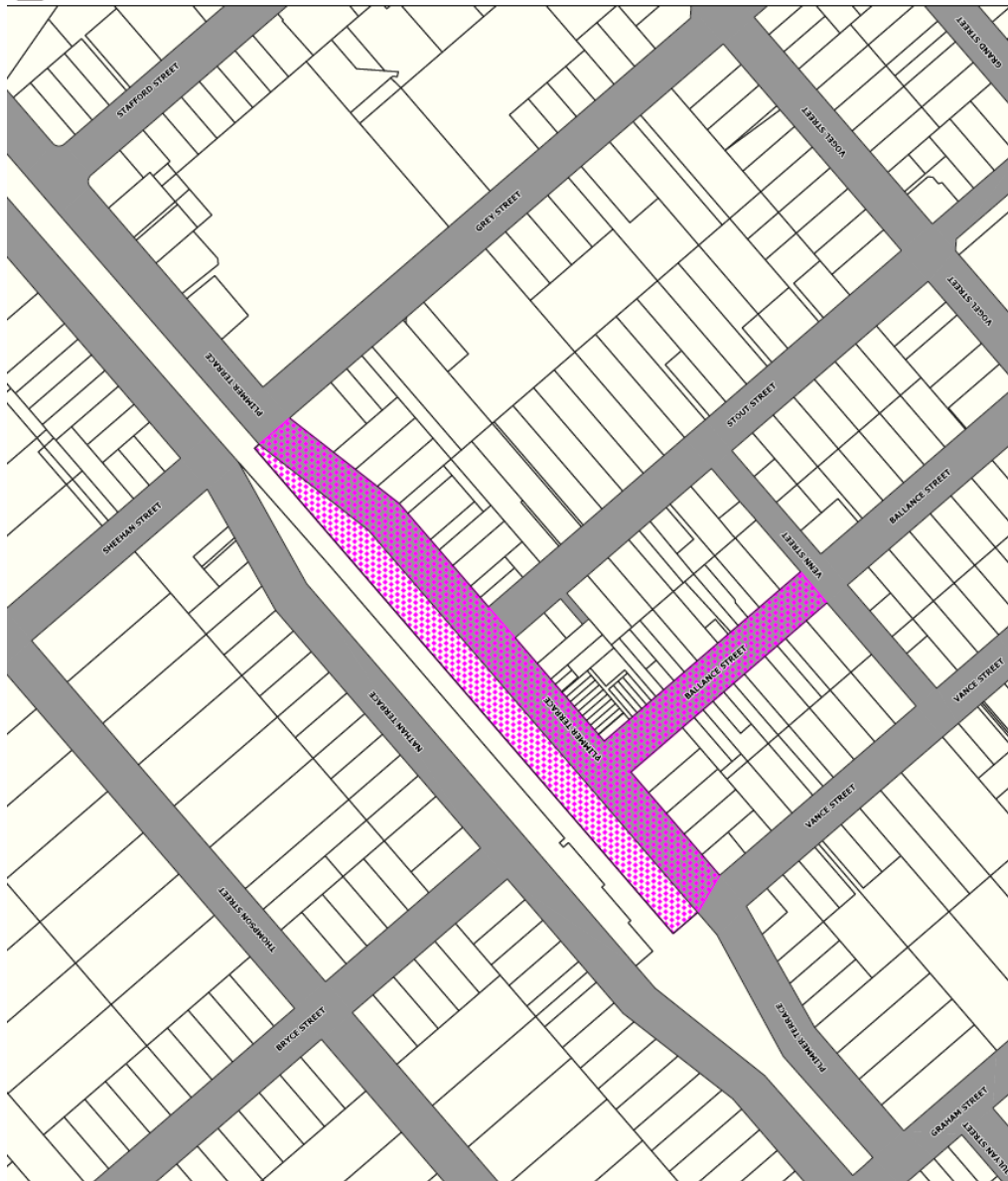
Appendix 7



**Alcohol Ban Area
Shannon**



NSC April 2022
Property Data - Land Information New Zealand - April 2022





Submission Form Proposed Alcohol Control Bylaw

| |
|------------------------|
| OFFICE USE ONLY |
| CM9 #: _____ |
| Submission No: _____ |

Please print using a black or dark blue pen

Your details

Name: Mr / Mrs / Miss / Ms / Dr (circle): _____

Name of organisation (if applicable): _____

Postal address: _____

_____ Post Code: _____

Telephone: day: _____ evening: _____ mobile: _____

Email: _____

Communication

Preferred method of communication: Email Telephone Post

Presentation

Submissions will be heard by the Hearings Committee, with hearing dates to be confirmed once submissions close.

Do you wish to present your comments to Council at a hearing? Yes No

My Submission(s):

Please note your submission will be included in a public agenda.

(continued overleaf)

Return your submission by:

Post to: Alcohol Control Bylaw Submission, Horowhenua District Council, Private Bag 4002, Levin 5440.

Email to: recordsprocessing@horowhenua.govt.nz

We need to receive your submission by 5.00 pm on 29 July 2022

Copies of the Proposed Alcohol Control Bylaw and the Summary of Information are available on Council's website at horowhenua.govt.nz/

If you would like copies posted to you, please contact the Horowhenua District Council, Phone (06) 366 0999 or email: enquiries@horowhenua.govt.nz

Submission Form

Proposed Alcohol Control Bylaw

Note: * Please clearly indicate which fees your submission relates to.

My submission(s):

A series of horizontal lines for text input, starting from the first line below the "My submission(s):" header and ending with the last line above the Privacy Act section.

Privacy Act 1993

Please note that any feedback provided is public information. Information on this form including your name and comments may be accessible to the media and public as part of the decision making process. Your contact details will only be used for the purpose of the Proposed Alcohol Control Bylaw consultation process. The information will be held by the Horowhenua District Council, 126 Oxford Street, Levin. You have the right to access the information and request its correction.



Alcohol Control Bylaw 2022



1. Preamble

The Horowhenua District Council in pursuance of the powers contained in the Local Government Act 2002, the Bylaws Act 1910 and any other authority enabling the Council in that behalf makes the following Bylaw.

2. Title and Commencement

This Bylaw is the Alcohol Bylaw 2022 and comes into force on XXXX

3. Application

This bylaw applies to the Horowhenua District.

4. Purpose

The purpose of this bylaw is to enhance public safety and enjoyment of public places by providing for alcohol control in specified public places to reduce the incidence of alcohol-related harm.

The Bylaw is made under the authority of Section 147 of the Local Government Act 2002.

5. Definitions and Interpretation

In this Bylaw, if not inconsistent with the context:

Act means the Local Government Act 2002.

Alcohol has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Alcohol-related harm has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Alcohol Control Area means the public area described in the Schedule One of this Bylaw in which alcohol prohibition are permanently in place during the times, days or dates specified in the Bylaw.

Alcohol prohibition means a prohibition specified in this Bylaw on the consumption of alcohol, the bringing of alcohol into, and the possession of alcohol, in a designated public place (subject to the prescribed exceptions in Section 147(3) of the Local Government Act 2002).

Bylaw means the Alcohol Control Bylaw 2022.

Constable means a Police employee who

- (a) Holds the office of constable (whether appointed as a constable under the Police Act 1958 or the Policing Act 2008); and
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Council means the Horowhenua District Council or any Authorised Officer.

Enforcement Officer means a person appointed by the Council pursuant to s177 of the Local Government Act 2002 to exercise the powers of an Enforcement Officer.

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Infringement Offence has the meaning given by section 243 of the Local Government Act 2002.

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Member of the Police means a sworn member of the Police appointed under the Policing Act 2008.

Offence means an offence under Section 239 of the Local Government Act 2002 that is a breach of this bylaw.

Public Place has the meaning given by section 147 of the Local Government Act 2002:

“means

- (a) a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but
- (b) does not include licensed premises.”

Vehicle has the meaning given by section 2(1) of the Land Transport Act 1998.

6. Alcohol Ban Areas

- 6.1 The places listed in Schedule One are designated as an Alcohol Control Area in respect of which the consumption of alcohol, the bringing of alcohol into and the possession of alcohol in those public places is prohibited on the days of the week and during the hours prescribed for each place:

7. Temporary Alcohol Control Areas

- 7.1 Council may from time to time, by resolution make an alcohol ban prohibiting, regulating or controlling the consumption, bringing into, or possession of alcohol in any public place (including in a vehicle) for specified events or for one or more specified periods.
- 7.2 An alcohol ban made under clause 7.1 for specified events or periods must be publicly notified at least 14 days in advance of the specified event or period in accordance with section 170(3) of the Local Government Act 2002.

8. Enforcement Powers under this Bylaw

8.1 Powers of Search

Where Council has resolved to prohibit the consumption or possession of alcohol in any public place, the requirements on Police relating to Search, Seizure and Arrest are detailed in Clause 8.2.

8.2 Powers of Search, Seizure and Arrest

In accordance with section 169(2) and 170 of the Act, a Constable may, without warrant, -

- (a) for the purpose of ascertaining whether alcohol is present, search –
 - (i) a container (for example, a parcel, package, bag, or case) in the possession of a person who is in, or entering, a public place:
 - (ii) a vehicle that is in, or is entering, a public place:
- (b) seize and remove any alcohol and its container if the alcohol is in a public place in breach of a bylaw:
- (c) arrest a person whom the Constable finds committing an offence against this bylaw.
- (d) arrest a person who has refused to comply with a request by a Constable -
 - (i) to leave the public place; or
 - (ii) to surrender to a Constable any alcohol that, in breach of an Alcohol Ban, is in that person's possession.

8.3 Alcohol or a container seized under clause 8.2 is forfeited to the Crown if the person from whom the alcohol or container seized pays the infringement fee.

8.4 Before exercising the power of search under Clause 8.2, a Constable must -

- (a) inform the person in possession of the container or the vehicle, as the case may be, that he or she has the opportunity of removing the container or the vehicle from the public place; and
- (b) provide the person with a reasonable opportunity to remove the container or the vehicle, as the case may be, from the public place.

8.5 Powers to request Name and Address

Any person whom an Enforcement Officer or member of the Police believes on reasonable grounds is committing or has committed an offence against this bylaw fails or refuses when required by the Enforcement Officer or member of the Police to give his/her name and/or address, or give a false name and/or address, he/she shall be guilty of an offence against the Act and liable on conviction to a fine not exceeding \$5,000.

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- 9.1 There is no offence against this Bylaw where alcohol has been purchased from an Off Licensed premises within the Alcohol Control Area, and is being transported in an unopened state from this area.

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 - (b) Alcohol being transported in an unopened state from premises in an alcohol ban area, licensed for the sale and/or consumption of alcohol under the Sale and Supply of Alcohol Act 2012;
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- 11.2 Such a waiver, dispensation or suspension of operation of any part of this bylaw shall be granted only in respect of specific time periods and specific locations associated with the special event, to enable better enjoyment of the event by members of the public.
- 11.3 In considering any such application, the person responsible for making a decision shall obtain and consider a response from New Zealand Police to the request, including the reasons for that response.
- 11.4 Where any such waiver, dispensation or suspension is granted, public notice of the waiver, dispensation or suspension should be given by public notice advertisement in a daily newspaper circulating the Horowhenua District at least 6 days prior to the commencement of the period when the waiver, dispensation or suspension commences.
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- 11.6 Nothing in this Section over-rides any conditions in the Sale and Supply of Alcohol Act 2012 pertaining to Special Licences requirements.

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13. Signage

- 13.1 Where it is practicable or reasonable to do so, the Council will erect signage within alcohol control areas to provide information to the public about the restrictions. The size, location and content of the signage will be at the Council's discretion.
- 13.2 To avoid any doubt, the absence of signage in any alcohol control area does not authorise a breach of this bylaw.
- 13.3 This clause is subject to any regulations made under section 147C of the Act.

14. Breach of Bylaw and Penalty

14.1 Any person who fails to comply with any control, restriction, limitation or prohibitions contained within or made pursuant to this Bylaw or acts in breach of any provision of this bylaw commits an offence under the Act and is liable to the penalties under the Act.

Explanatory note: Penalties are prescribed under the Local Government (Alcohol Ban Breaches) Regulations 2013.

The infringement fee for breaching an Alcohol ban is currently \$250.00.

The foregoing Bylaw was duly made by the Horowhenua District Council by a resolution passed on the XXXX and was confirmed following consideration of community submissions received during a special consultation procedure, by a resolution passed on the XXXX.

The Common Seal of the)
HOROWHENUA DISTRICT COUNCIL)
was hereunto affixed in the presence of:)

_____ Mayor

_____ Chief Executive

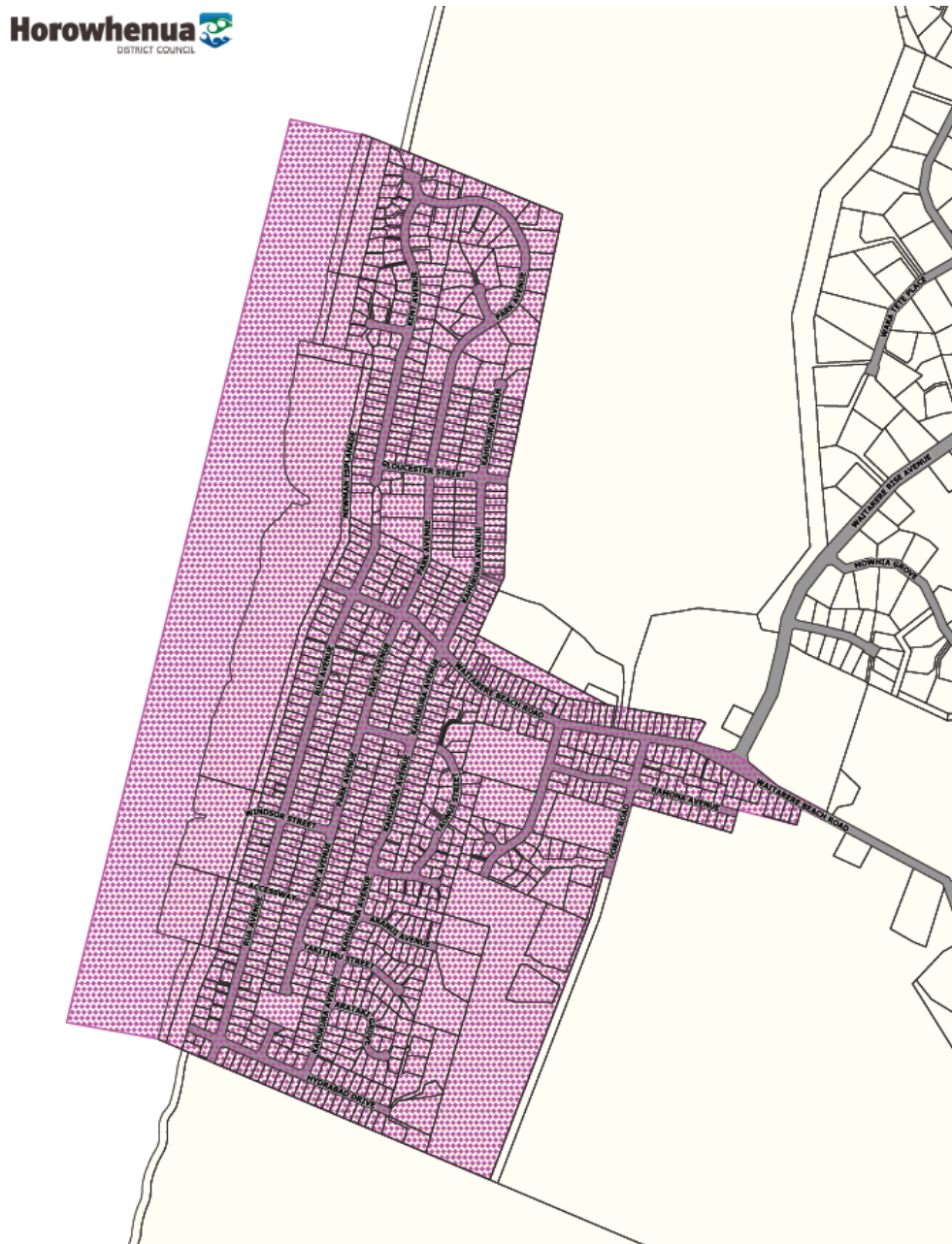
Schedule One – Alcohol Control Areas

| Name | Alcohol Control Area | Restriction | Map |
|-----------------|--|--|------------|
| Waitarere Beach | This public place is the area known as Waitarere Beach depicted on the map as Appendix 1, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place from: (a) 5.00 pm on Guy Fawkes evening until 7.00 am on the day following, of each year (b) 5.00 pm on New Year's Eve evening until 7.00 am of New Year's Day of each year. | Appendix 1 |
| Foxton Beach | This public place is the area known as Foxton Beach depicted on the map as Appendix 2, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place from: (a) 5.00 pm on Guy Fawkes evening until 7.00 am on the day following, of each year (b) 5.00 pm on New Year's Eve evening until 7.00 am of New Year's Day of each year. | Appendix 2 |
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| Waikawa Beach | This public place is the area known as Waikawa Beach depicted on the map as Appendix 4, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place from: (a) 5.00 pm on Guy Fawkes evening until 7.00 am on the day following, of each year (b) 5.00 pm on New Year's Eve evening until 7.00 am of New Year's Day of each year. | Appendix 4 |

Schedule One continued

| Name | Alcohol Control Area | Restriction | Map |
|--------------------|---|---|---------------------|
| Levin CBD | This public place is the area known as Levin CBD depicted on the map as Appendix 5, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified, including the carparks of Levin New World Supermarket, 21 Bath Street, Levin, and Pak'nSave Mini Supermarket, 508 Queen Street, Levin. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Appendix 5 |
| Foxton CBD | This public place is the area known as Foxton CBD depicted on the map as Appendix 6, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Appendix 6 |
| Shannon CBD | This public place is the area known as Shannon CBD depicted on the map as Appendix 7, and includes all reserves, formed and unformed public roads, thoroughfares, walkways, access ways and vehicle parking areas located within the boundaries specified. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Appendix 7 |
| Jubilee Park Levin | This public place is designated as the Jubilee Park site and includes all footpath areas bounding this site along Bath Street and Parker Avenue, Levin. | Alcohol Prohibition. An alcohol prohibition applies in this public place at all times. | Shown on Appendix 5 |

Appendix 1



 ALCOHOL BAN AREA

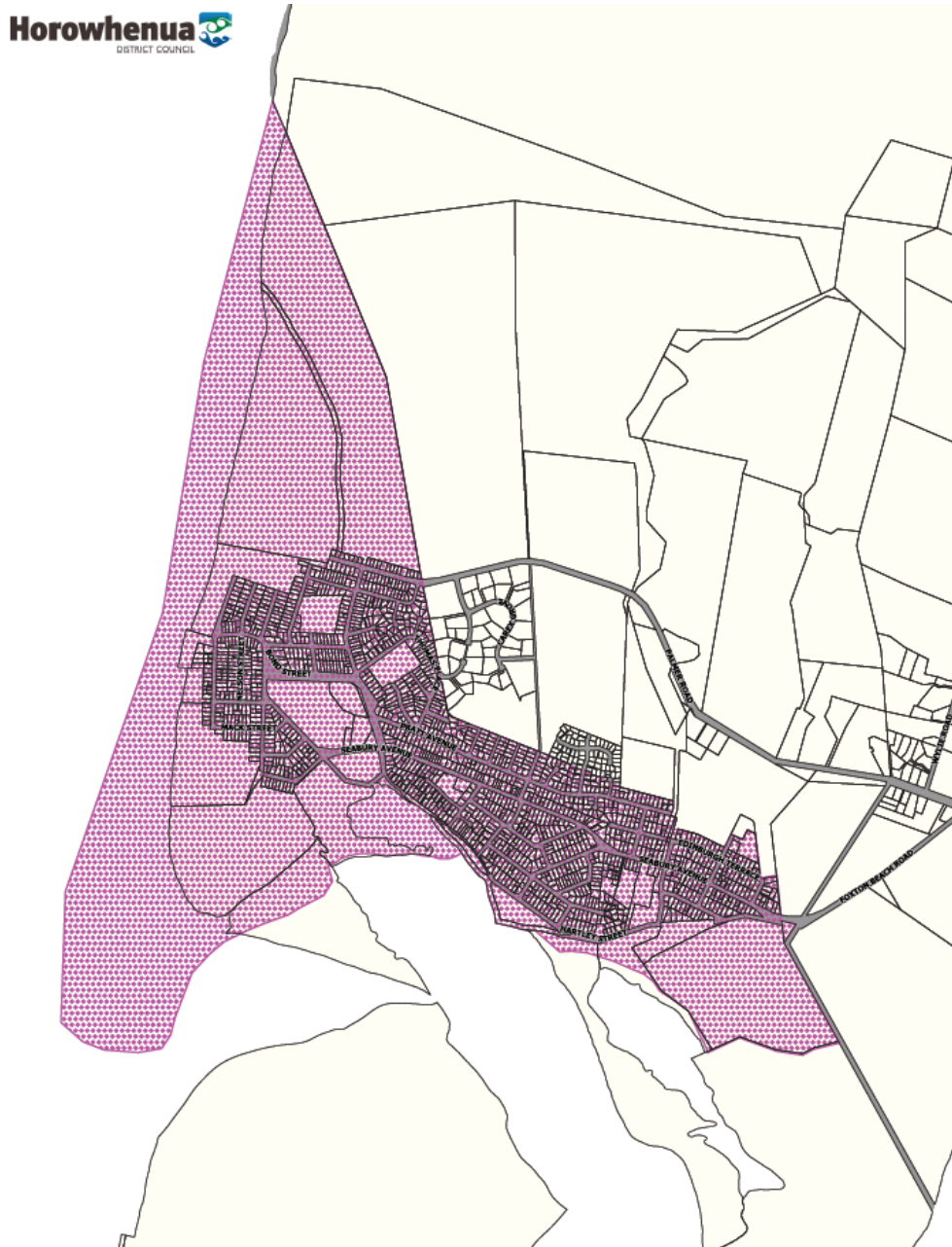
**Alcohol Ban Area
Waitarere Beach**

0 100 200 300 400 500 m

Scale 1:7 500 (A3)

IGC April 2022
Property data - Land Information New Zealand - April 2022

Appendix 2



 ALCOHOL BAN AREA

**Alcohol Ban Area
Foxton Beach**

0 250 500 750 1,000 m

Scale 1:15 000 (A3)
NSC April 2022
Property data - Land Information New Zealand - April 2022

Appendix 3



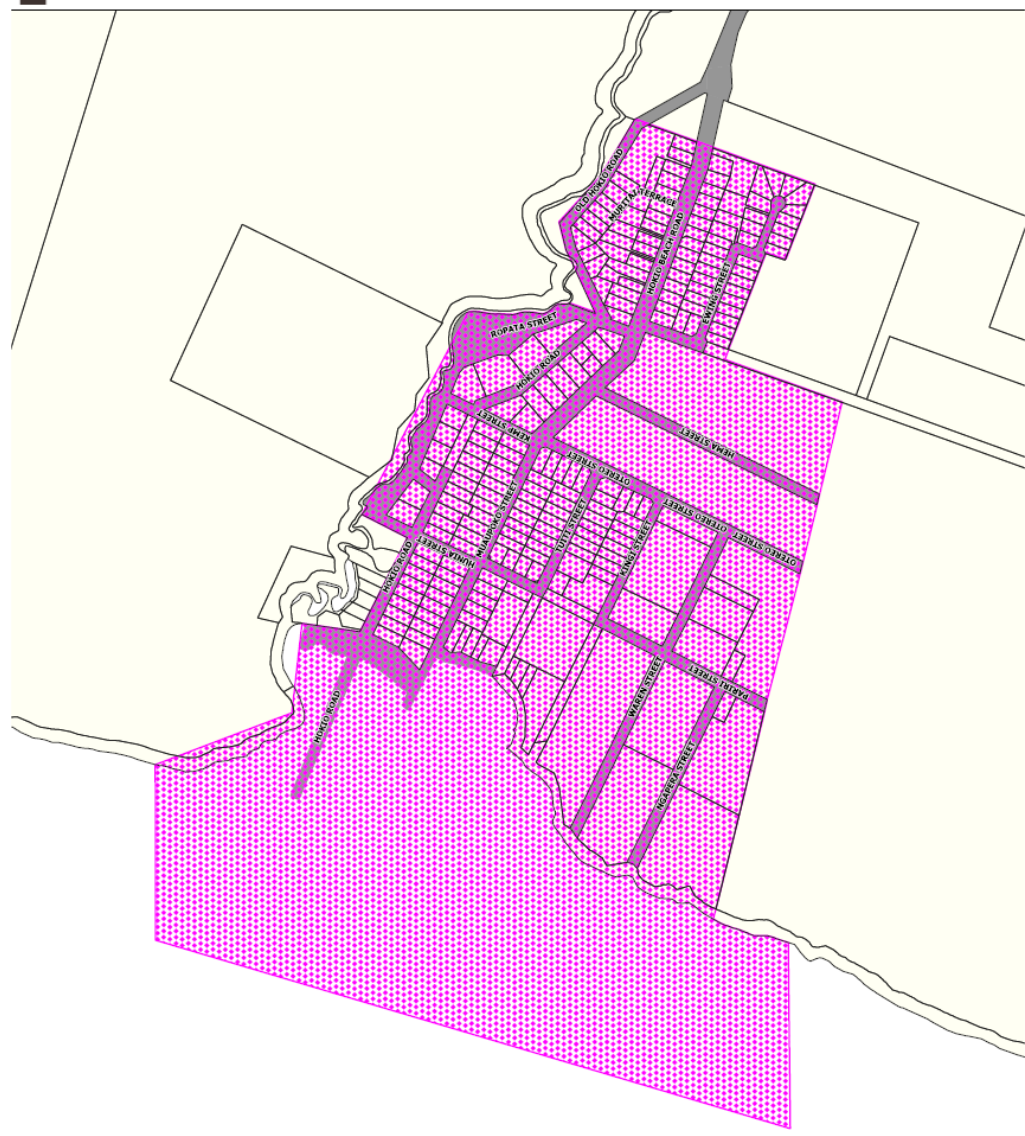
**Alcohol Ban Area
Hokio Beach**

ALCOHOL BAN AREA

0 50 100 150 200 m

Scale 1:6 000 (A3)

MDC April 2022
Property data - Land Information New Zealand - April 2022



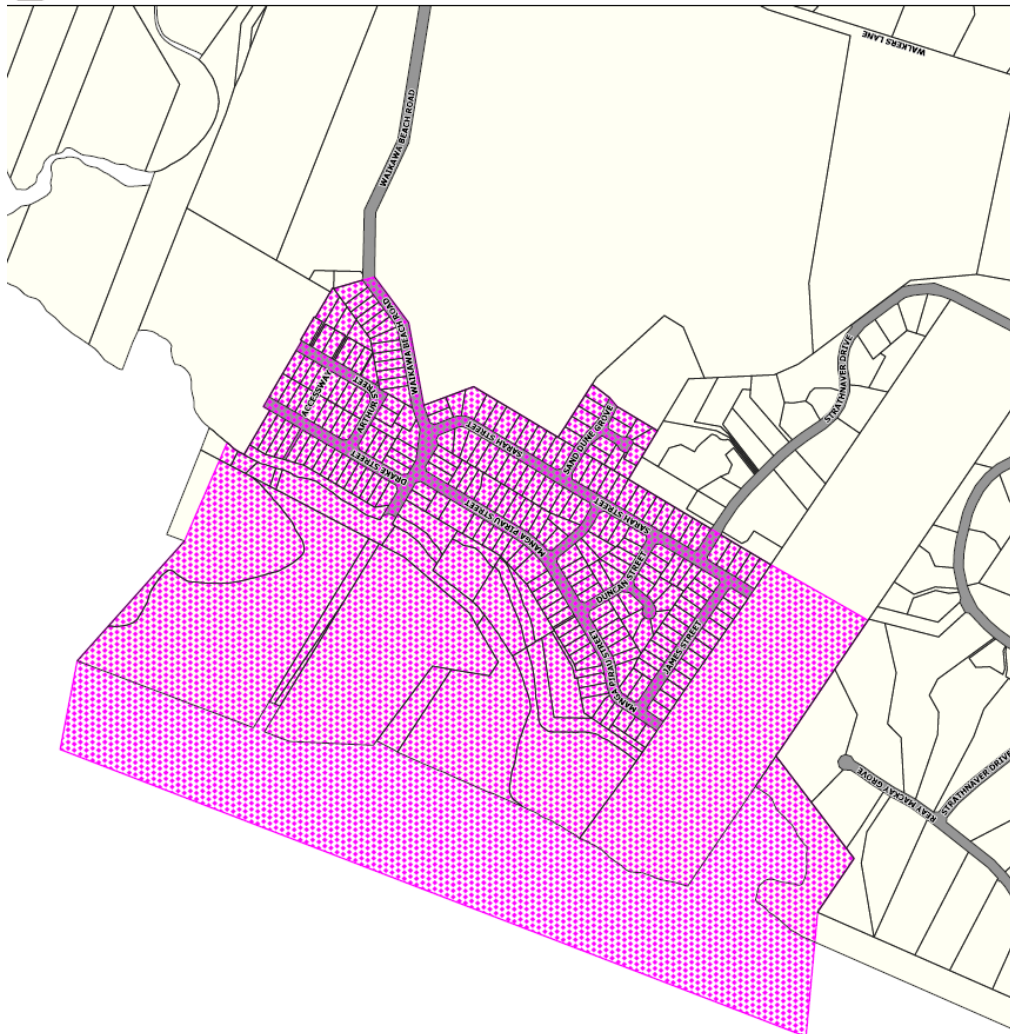
Appendix 4



**Alcohol Ban Area
Waikawa Beach**



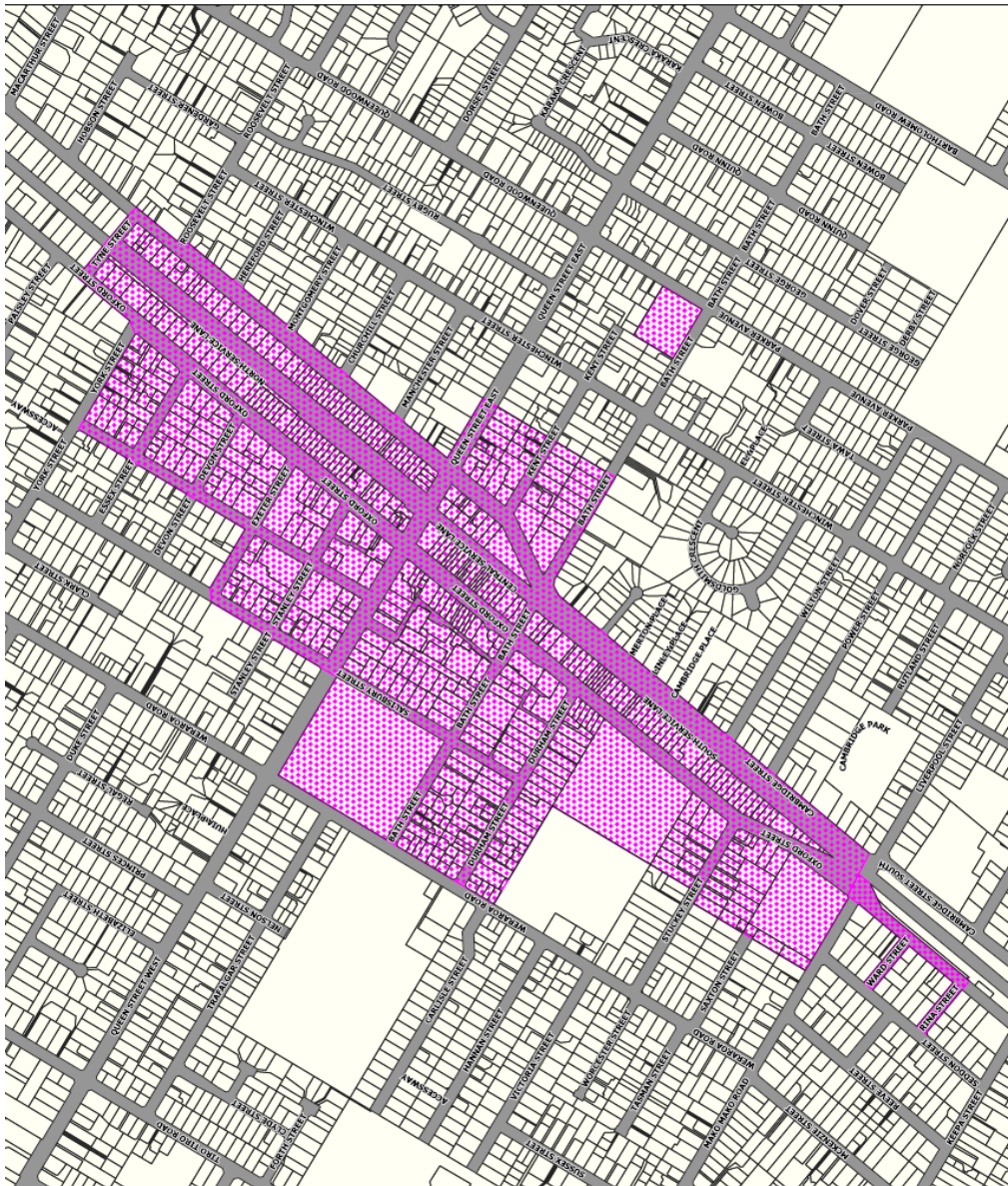
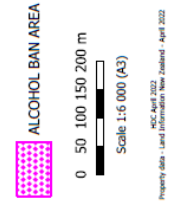
NSC, April 2022
Property data - Land Information New Zealand - April 2022



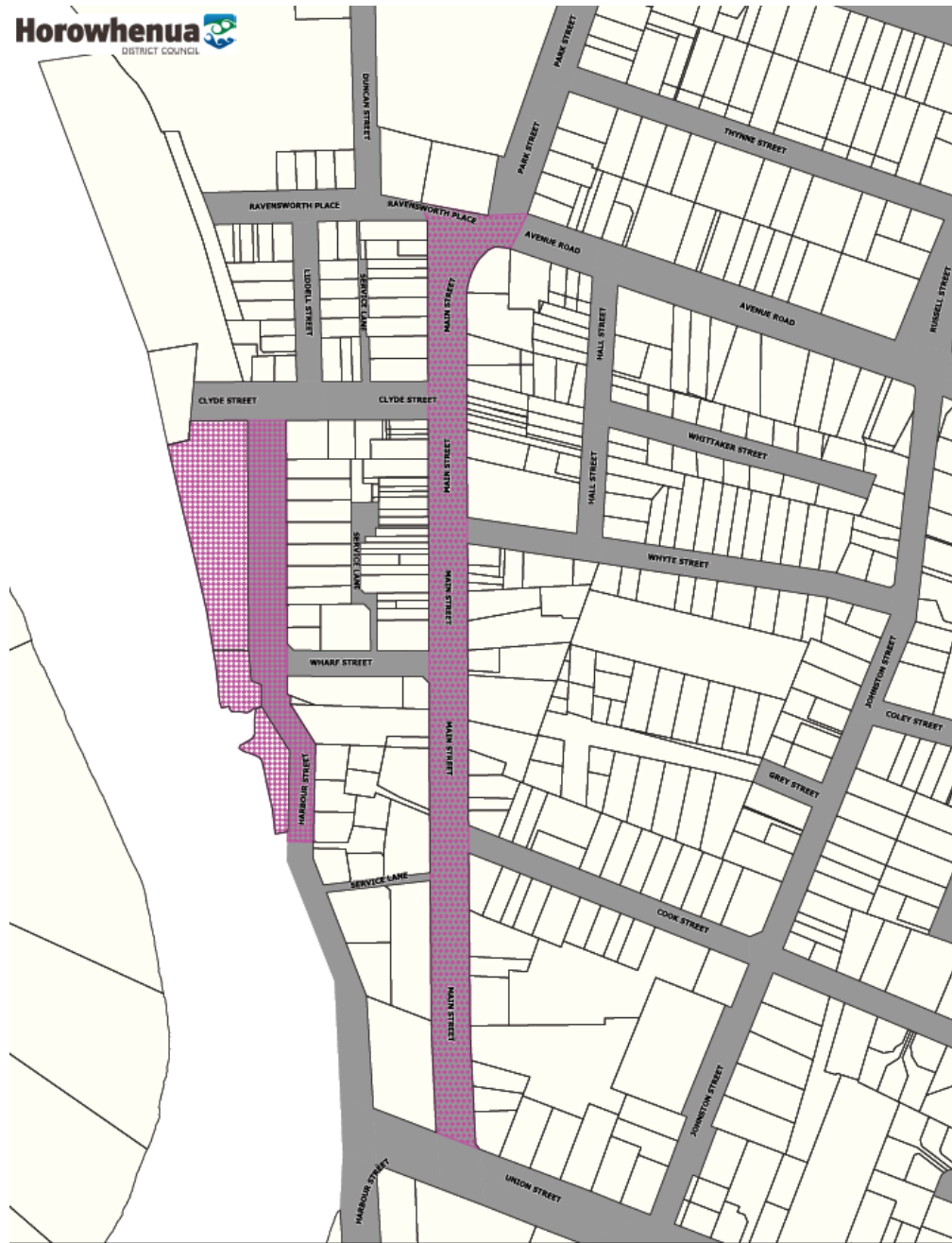
Appendix 5



**Alcohol Ban Area
Levin CBD**



Appendix 6



 ALCOHOL BAN AREA

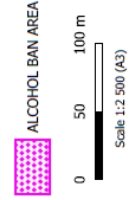
**Alcohol Ban Area
Foxton**

0 50 100 m
Scale 1:2 500 (A3)
HDC April 2022
Property data - Land Information New Zealand - April 2022

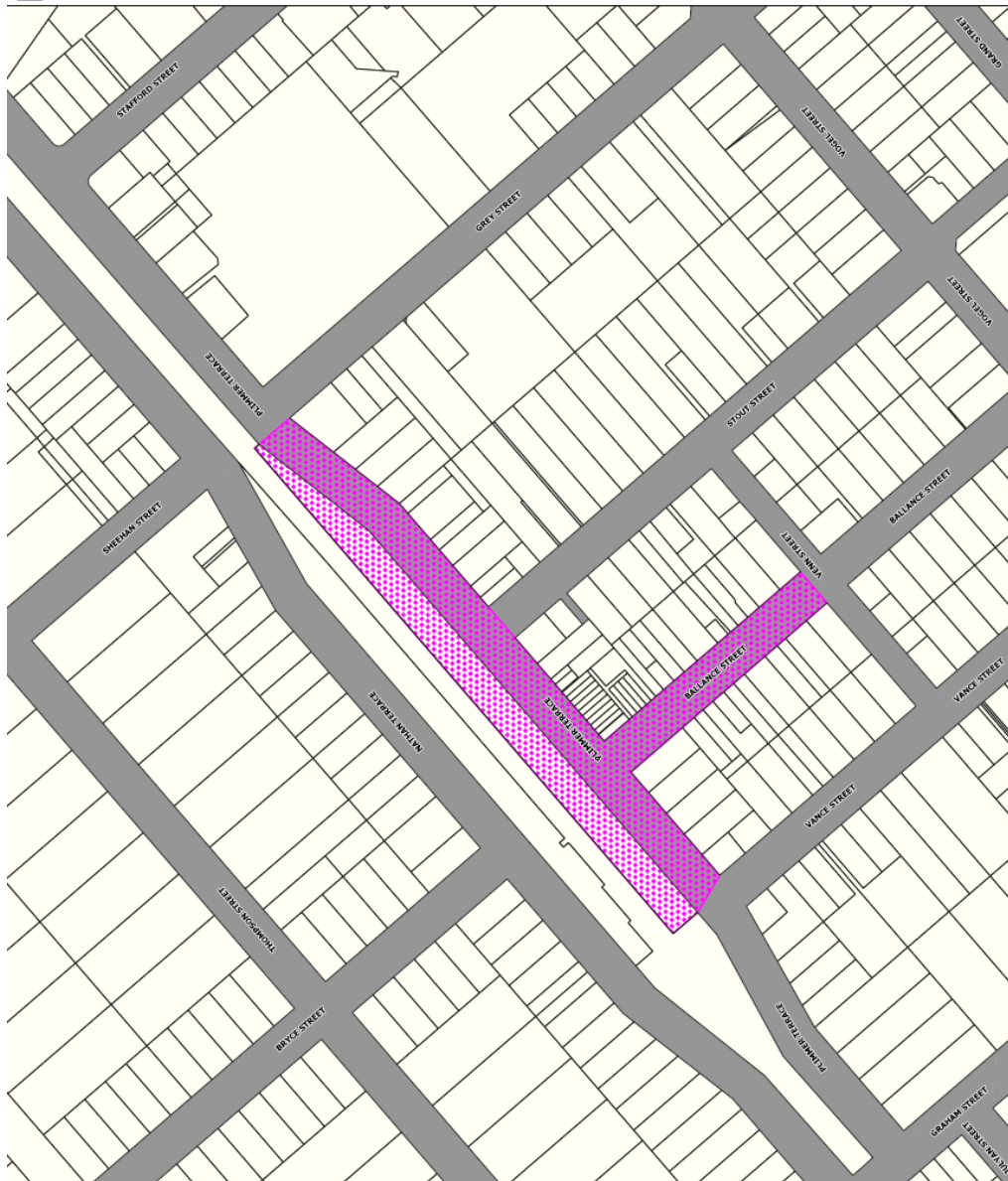
Appendix 7



**Alcohol Ban Area
Shannon**



NSC April 2022
Property Data - Land Information New Zealand - April 2022



Exclusion of the Public : Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

C1 Chief Executive Performance Development Agreement Framework

| Reason for passing this resolution in relation to each matter | Particular interest(s) protected (where applicable) | Ground(s) under section 48(1) for the passing of this resolution |
|--|--|---|
| The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7. | s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. | s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7. |

Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 11 May 2022 at 4.00 pm.

PRESENT

| | |
|---------------------|--------------------------|
| Mayor | B P Wanden |
| Deputy Mayor | Deputy Mayor J F G Mason |
| Councillors | Cr D A Allan |
| | Cr W E R Bishop |
| | Cr R J Brannigan |
| | Cr T N Isaacs |
| | Cr S J R Jennings |
| | Cr V M Kaye-Simmons |
| | Cr R R Ketu |
| | Cr C B Mitchell |
| | Cr P Tukapua |

IN ATTENDANCE

| | | |
|--------------------------|-------------------|--|
| | Mrs M Davidson | Chief Executive Officer |
| | Ms A Huria | Business Performance Manager |
| | Mrs J Straker | Group Manager Business |
| | Mr D McCorkindale | Group Manager Customer & Strategy |
| | Mrs L Slade | Group Manager People & Culture |
| | Mr B Harvey | Group Manager Communities and Partnerships |
| | Mr B Maguire | Group Manager Infrastructure Development |
| | Mr G Rowse | Principal Advisor – Democracy |
| | Ms L Baddock | District Plan Lead |
| Meeting Secretary | Miss J Lygo | Democracy Support Officer |

ALSO IN ATTENDANCE

| | |
|--------------|-------------------------------|
| Mr P Jones | Independent Member (via zoom) |
| Mr B Jackson | Independent Member |

Cr Ketu opened the meeting with a karakia.

1 Apologies

There were none.

2 Public Participation

| Name | Item/Topic |
|--|---|
| David Roache, President – Foxton Tourism and Development Association | Item 7.1 – Proceedings of Foxton Community Board – relating to the Foxton Tram Paper pre-circulated |
| Viv Bold | Item 9.1 – Adoption of the Horowhenua 2040 Blueprint, and Item 9.2 Adoption of the Updated Horowhenua Growth Strategy 2040 |
| Christina Paton | Item 9.1 – Adoption of the Horowhenua 2040 Blueprint |

3 Late Items

There were none.

4 Declaration of Interest

There were none.

5 Confirmation of Minutes

MOVED by Cr Allan, seconded Cr Brannigan:

That the minutes of the meeting of the Council held on Wednesday, 13 April 2022, be confirmed as a true and correct record.

That the minutes of the meeting of the In Committee Meeting of Council held on Wednesday, 13 April 2022, be confirmed as a true and correct record.

CARRIED

6 Announcements

There were none.

7 Proceedings of Committees

7.1 Proceedings of the Foxton Community Board meeting 11 April 2022

The Council was presented with the minutes of the Foxton Community Board meeting held on 11 April 2022.

MOVED by Cr Allan, seconded Cr Brannigan:

That Report 22/166 Proceedings of the Foxton Community Board meeting 11 April 2022 be received.

That the Council receives the minutes of the Foxton Community Board meeting held on 11 April 2022.

That Council notes the requests from the Community Boards.

CARRIED

MOVED by Cr Allan, seconded Deputy Mayor Mason:

That Council requests the Chief Executive to prepare a report into implications of, and options for, granting land access for the Foxton Beach Community Centre to build a three-bay garage, and report on implications and options for boundary line adjustments for the land upon which the Foxton Beach Community centre sits.

CARRIED

It was noted that this item would be added to the work program of the Foxton Community Board.

Discussion was held with Mr Roache providing clarification to Councillors where needed.

MOVED by Cr Allan, seconded Cr Brannigan:

That Council requests the Chief Executive to work with the Windmill Trust and the Foxton Tourism Development Association to look at options for an alternative storage site for the Foxton Tram.

CARRIED

Cr Jennings abstained.

Discussion was held surrounding the options of the future of Café Molen.

MOVED by Cr Allan, seconded Cr Brannigan:

That Council enters into a variation of the existing lease for Café Molen in support of option 1, as presented to the Foxton Community Board's meeting of 11 April 2022 – to extend the lease for the Dutch Oven into the current tram storage space.

CARRIED

7.2 Proceedings of the Finance Audit and Risk Committee 27 April 2022

The Council was presented with the minutes of the Finance, Audit & Risk Committee meeting held on 27 April 2022.

MOVED by Cr Isaacs, seconded Cr Mitchell:

That Report 22/167 Proceedings of the Finance Audit and Risk Committee 27 April 2022 be received.

That the Council receives the minutes of the Finance, Audit & Risk Committee meeting held on 27 April 2022.

CARRIED

8 Executive

8.1 Mayoral Report - April 2022

His Worship the Mayor reported to Council on community events and Council-related meetings he had attended during April 2022, and provide an update on Three Waters Reforms.

MOVED by Mayor Wanden, seconded Cr Kaye-Simmons:

That Report 22/162 Mayoral Report - April 2022 be received.

That this matter or decision is recognised not significant in terms of S76 of the Local Government Act.

CARRIED

His Worship the Mayor responded to questions from Councillors, providing further information on meetings he had attended.

8.2 Council Work Programme

The Council was updated on reports currently planned to bring to future meetings.

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Report 22/168 Council Work Programme be received.

That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

9 Strategy and Development

9.1 Adoption of the Horowhenua 2040 Blueprint

The Council was presented with the Horowhenua 2040 Blueprint report for adoption.

MOVED by Cr Isaacs, seconded Cr Allan:

That Report 22/161 Adoption of the Horowhenua 2040 Blueprint be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

The Customer & Strategy Group Manager joined the table, speaking to this report highlighting key points and answering questions from councillors. Acknowledging everyone who has contributed to this blueprint, and responding to the public participation.

MOVED by Mayor Wanden, seconded Cr Kaye-Simmons:

That Council adopt the Horowhenua 2040 Blueprint.

That the Chief Executive be given delegated authority to make minor editorial changes that arise as part of the publication process for the Horowhenua 2040 Blueprint.

CARRIED

Councillors gave their views on the document, discussing the responsibilities and duties of Council.

It was highlighted that this Blueprint is contractual with our community and will require a clear sense of monitoring, revisiting its progress weekly.

9.2 Adoption of the Updated Horowhenua Growth Strategy 2040 (Updated 2022)

The updated Horowhenua Growth Strategy 2040 was presented to Council for its consideration and adoption.

MOVED by Cr Brannigan, seconded Cr Isaacs:

That Report 22/32 Adoption of the Updated Horowhenua Growth Strategy 2040 (Updated 2022) be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

The District Plan Lead joined the table bringing further clarification to the purpose of this strategy and how it may be implement, as well as how it varies from the 2018 strategy. And what it represents, she then answered questions from Councillors.

MOVED by Cr Kaye-Simmons, seconded Cr Jennings:

That Council adopts the updated version of the Horowhenua Growth Strategy 2040 (updated 2022).

That the Group Manager Customer and Strategy be given delegated authority to make minor editorial changes that arise as part of the publication process for the Horowhenua Growth Strategy 2040 (updated 2022).

CARRIED

Cr Ketu closed the meeting with a karakia

6:15 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF COUNCIL HELD ON

DATE:.....

CHAIRPERSON:.....